

EXHIBIT B

TIARA PAYNE v. WBY, INC.

Tiara Payne on 06/23/2015

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4 AMERICAN ARBITRATION ASSOCIATION

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6 TIARA PAYNE,

7 Claimant,

8 v.

CASE NO.
01-14-0000-5109

9 WBY, INC., d/b/a THE FOLLIES,

10 Respondent.

11 *****

12

13 DEPOSITION of TIARA PAYNE

14 Tuesday, June 23, 2015

15 8:51 a.m. to 12:03 p.m.

16 Constangy, Brooks, Smith & Prophete, LLP

17 230 Peachtree Street, NW

18 Atlanta, Georgia

19 Reporter: Sandra Kwiecien, RPR, CLR
20 CCR-6012-7323-6088-4224

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24 Also present:

25 Steve Youngelson

TIARA PAYNE v. WBY, INC.

Tiara Payne on 06/23/2015

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25 (Original exhibits attached to original transcript.)

att <http://www.yeslaw.net/hel>

1 Q. Okay. And later we're all going to get a transcript
2 of your testimony.

3 A. Okay.

4 Q. Okay? And that's going to have all the questions
5 that I ask you and all the answers that you give.
6 Okay?

7 A. Okay.

8 Q. It's important that you answer -- it's important
9 that you tell us you don't understand, you don't
10 hear or can't comprehend what I'm asking or
11 anything, if my question is unclear. Because once
12 you give me an answer, everybody who reads this
13 transcript is going to make two assumptions: The
14 first is that you heard the question that was asked
15 of you, you heard and understood it. Do you
16 understand that?

17 A. Yes.

18 Q. Secondly, that you are intending to give me -- you
19 are intending to give the answer that you are giving
20 to that question. Okay?

21 A. Okay.

22 Q. This is not a marathon. We have as long as it takes
23 to go through this process. If you need to take a
24 break any reason, as long as there is not a question
25 pending, I'll be happy to take a break.

1 A. I don't remember.

2 Q. Well, in this case you were asked some questions
3 that you were asked to respond to in writing; do you
4 recall that?

5 A. I don't remember.

6 Q. Okay. Do you recall being sent a document called
7 "Respondents's First Set of Interrogatories"?

8 A. Is this paperwork that --

9 THE WITNESS: Is this the paperwork
10 that --

11 MR. LUCAS: Yes.

12 A. See, I'm not sure what it is that I agreed to. I
13 was forced to sign paperwork or I was --

14 MR. LUCAS: No, no, no. He's talking
15 about in connection with this lawsuit, the
16 interrogatories and request for admission answers,
17 the discovery stuff.

18 A. Discovery, yes, I read through the discovery.

19 Q. Okay. Did you prepare those discovery responses?

20 A. Yes.

21 Q. Okay. Did you prepare similar types of documents
22 when you were responding to -- when you were
23 involved in the Shooter's Alley case?

24 A. I don't remember.

25 Q. Okay. Did you have a lawyer in that case?

1 A. Yes.

2 Q. Who was your lawyer?

3 A. Kimberly Martin.

4 Q. Was she the lawyer for the, quote, "class"?

5 A. Yes.

6 Q. As a result of that lawsuit, did you receive any
7 money?

8 A. Yes.

9 Q. How much?

10 A. I don't remember.

11 Q. That wasn't very long ago, was it?

12 A. I don't remember how much it was.

13 MR. LUCAS: I have to -- you know what?

14 I'm not sure what her -- I should probably instruct

15 her not to answer because I'm not sure what her

16 confidentiality provision -- to the extent there was

17 one in that case. I wasn't the counsel. I'm going

18 to instruct her not to answer about amount anyway.

19 She doesn't remember, but --

20 MR. RUBIN: Okay.

21 Q. When did you receive those funds?

22 A. They were installations over the course of a
23 three-month period, three- to four-month period.

24 Q. Okay. Did those come from Mrs. Martin?

25 A. They came from Shooter's Alley to Mrs. Martin to me.

1 A. No. I was working at Follies at the same time.

2 Q. Okay. How many days a week did you work in the
3 six-month period of time at Shooter's?

4 A. I don't remember. I know that I had to -- I ended
5 up stopping working at Shooter's because I had to
6 give my permit to Follies.

7 Q. How many days a week did you work at Shooter's, if
8 you can recall, during the six-month period?

9 A. I don't.

10 Q. Okay. Do you have a journal that you are looking
11 at?

12 A. Yes.

13 Q. Is there writing on that journal?

14 A. No.

15 Q. Is it a blank journal?

16 A. Yes.

17 Q. Can I see it, please?

18 A. Sure.

19 Q. Thank you.

20 A. You're welcome.

21 Q. Okay. Thank you.

22 A. You're welcome.

23 Q. Have you ever testified under oath in a court
24 before?

25 A. No.

1 A. Yes.

2 Q. Did you live at 2613 Misty Rock?

3 A. Yes.

4 Q. When did you live there?

5 A. From the time I was about 11 until 18.

6 Q. Okay. Do you have a driver's license?

7 A. Yes.

8 Q. What address is listed on your driver's license?

9 A. That address.

10 Q. Okay. Do you know any other -- what's your middle
11 name?

12 A. Chantelle.

13 Q. Were there another Tiara Chantelle Payne residing at
14 Misty Rock?

15 A. No.

16 Q. So you'd be the only one?

17 A. Yes.

18 Q. Did you ever appear in the Gwinnett County Circuit
19 Court to answer for any charges, any criminal
20 charges?

21 A. I don't want to answer that.

22 Q. Were you charged with prostitution?

23 A. I don't want to answer that either.

24 Q. Were you convicted of prostitution?

25 A. I don't want to answer that.

25 A. No.

1 Q. Okay. Were you charged in Gwinnett County with
2 fighting?

3 A. Yes.

4 Q. Who did you get in a fight with?

5 A. I don't even remember who it was. It was in high
6 school.

7 Q. Okay. Did you plead guilty to that?

8 A. I don't remember.

9 Q. Have you ever been charged with any other crimes?

10 A. No.

11 Q. Have you ever had a license that you held revoked?

12 A. Yes.

13 Q. What kind of license did you have revoked?

14 A. My driver's license.

15 Q. When -- did you ever work in DeKalb County as an
16 entertainer?

17 A. Yes.

18 Q. Did you have an entertainment permit?

19 A. Yes.

20 Q. Has that been revoked?

21 A. No.

22 Q. No? What do you do for a living today?

23 A. I'm a dancer.

24 0. Where?

25 A. In Texas.

1 Q. Where?

2 A. At another place.

3 Q. What's that -- does that place have a name?

4 A. Do I have to tell you?

5 MR. LUCAS: Yeah, go ahead. Go ahead and
6 answer his questions.

7 A. Heartbreakers.

8 Q. Heartbreakers. How long have you danced at
9 Heartbreakers for?

10 A. Since December.

11 Q. I'm so sorry?

12 A. Since December of 2014.

13 Q. Have you worked at any other clubs other than
14 Shooter's Alley, The Follies and the Heartbreakers?

15 A. No. Well, not that I remember.

16 Q. Okay. Well, so, for example, other than The Follies
17 and Shooter's Alley, is there any other club in the
18 greater Atlanta area that you've stepped foot in and
19 performed as an entertainer?

20 A. The Gold -- Gold -- Gold Room or Gold -- Gold
21 something.

22 Q. The Gold Club?

23 A. Yeah, I think. I think that's the name of it. I
24 can't remember. I didn't work there long.

25 Q. How long did you work there?

1 A. Probably a couple of weeks, if that.

2 Q. In what year?

3 A. 2014. No. 2013.

4 Q. Okay.

5 A. And that's not -- I'm not certain on that. I'm
6 pretty much just --

7 Q. Any other clubs that you've worked at?

8 A. No.

9 Q. So you've worked now at Shooter's Alley, The
10 Follies, Gold Club or Goldrush, I think --

11 A. Heartbreakers.

12 Q. -- and Heartbreakers, and nowhere else?

13 A. Not that I remember.

14 Q. Okay. Now, do you have any documents either that
15 you created or that you maintained or that were
16 given to you in conjunction with your performance as
17 an entertainer at any of the clubs?

18 A. No.

19 Q. Okay. Do you have a phone?

20 A. Yes.

21 Q. Okay. Does that phone have text messages?

22 A. Yes.

23 Q. Does that phone have e-mail?

24 A. Yes.

25 Q. Is it the same phone you owned -- or how long have

att <http://www.yeslaw.net/hel>

1 A. I don't still have information from those old, old
2 phones.

3 Q. That's not my question. My question is, did you
4 take -- before you went to the store with your
5 iPhones, did you back it up to a computer or the
6 cloud?

7 A. I don't know.

8 Q. What computer would you have used to back it up if
9 you did?

10 A. Maybe an old VIZIO.

11 Q. Okay. Did you use iTunes?

12 A. Yes.

13 Q. And you would connect and sync your phone to iTunes?

14 A. Yes.

15 Q. That's how you would download all your music?

16 A. Yes.

17 Q. What computer had iTunes on it that you used?

18 A. That old VIZIO computer -- laptop.

19 Q. Where is that VIZIO?

20 A. It's -- I don't even know where it is now.

21 Q. Where was the last time you recall seeing it?

22 A. Last year when I was doing a PowerPoint on it.

23 Q. Where was that at?

24 A. Here.

25 Q. Here at your mom's house?

1 A. Yeah.

2 Q. In Gwinnett County?

3 A. Yes.

4 Q. In the De- -- I'm sorry. At the Misty Rock address?

5 A. Yes.

6 Q. That was the last time you saw it?

7 A. Yes.

8 Q. Okay. Well, we asked you a whole bunch of questions
9 to produce some documents. Do you recall that, to
10 produce all sorts of documents, we asked you a whole
11 series of questions?

12 A. (Nonverbal response.)

13 Q. Can you tell me what you did to look for any
14 documents?

15 A. I don't understand what you are asking me.

16 Q. Okay. Well, we asked you a whole series of
17 questions. They said request for production of
18 documents. Do you recall seeing those -- that
19 document before?

20 A. Yes.

21 Q. Okay. And it asked you to produce a whole series of
22 things?

23 A. Okay.

24 Q. Right?

25 A. Right.

1 Q. I just want to know what you did to go look for
2 those kinds of things?

3 A. Well, I'm -- check all my e-mails, anything that --
4 anything that could have possibly retained[sic] to
5 me working there. But I mean obviously that long, I
6 don't even have pictures in my phones from back
7 then.

8 Q. So let's start with your old e-mails. What e-mails
9 did you use? What was the e-mail names?

10 A. [REDACTED].

11 Q. You've got to go way slower than that.

12 A. [REDACTED].

13 Q. Any other?

14 A. Uh-uh.

15 Q. Is that a no?

16 A. Yeah, that's a no.

17 Q. Okay. So [REDACTED] is the only e-mail
18 that you've ever used?

19 A. That's not the only one that I've ever used, but
20 it's the only one that I can think of.

21 Q. What other e-mails may you have used?

22 A. I don't remember.

23 Q. Do you remember the name of that --

24 A. That's the main one. That's my e-mail.

25 Q. I understand. Do you remember the name of the

1 provider?

2 A. Provider? Can you --

3 Q. The company like Yahoo, Gmail?

4 A. Yahoo.

5 Q. All Yahoo accounts?

6 A. Yes.

7 Q. Any other names that you recall using on Yahoo is
8 either a user name, screen name?

9 A. No, I didn't do all that.

10 Q. Did you use Instagram?

11 A. Yes.

12 Q. How many different Instagram accounts do you have?

13 A. I don't have one now.

14 Q. How many have you had?

15 A. One.

16 Q. What was that?

17 A. [REDACTED] [REDACTED].

18 Q. [REDACTED]

19 A. [REDACTED]

20 Q. [REDACTED]

21 A. Uh-huh.

22 Q. When did you get rid of [REDACTED], your Instagram
23 account or stopped using it, I should say?

24 A. Probably -- I don't know. I don't even know. I
25 can't tell you.

1 Q. Did you go back and search through that account to
2 look for any photographs or documents that would
3 relate to this litigation?

4 A. Yeah, and then there is no account to look through
5 because it is no longer there.

6 Q. When did you get rid of that?

7 A. I don't remember.

8 Q. Before you got rid of it, did you take any steps to
9 preserve any of the documents that were on it?

10 A. No.

11 Q. Okay. Any other Instagram accounts that you used?

12 A. No.

13 Q. How about Facebook?

14 A. Yeah, I haven't had a Facebook in years.

15 Q. What was your Facebook name?

16 A. Tiara Payne.

17 Q. Any others?

18 A. No.

19 Q. Did you look through your Facebook account for any
20 documents or e-mails, messages, photographs?

21 A. I wouldn't -- I didn't have it. I haven't had it in
22 so long.

23 Q. That's not my question. My question is, did you?

24 A. No.

25 Q. Did you look at it?

1 A. No.

2 Q. Any other social media that you've used?

3 A. I had a Twitter with the same name, the [REDACTED].

4 Q. Did you ever -- when did you get rid of your Twitter
5 account?

6 A. Possibly like a year and a half ago.

7 Q. When you say get rid of it, did you just stop using
8 it?

9 A. I deleted it.

10 Q. Off your phone?

11 A. Deleted the actual user name and everything.

12 Q. Were you involved in the Shooter's lawsuit at that
13 point?

14 A. At what point?

15 Q. Around the time when you deleted your accounts?

16 A. I can't put the two together.

17 Q. Why did you delete your Twitter and your Instagram
18 account?

19 A. They're not productive.

20 Q. What do you mean by "not productive"?

21 A. I mean it's not productive. It doesn't do anything.

22 Q. What did you use them for?

23 A. Social media at the time, but --

24 Q. What kind of social media?

25 A. Talking to relatives, people in distances, but --

1 Q. Any other social media?

2 A. No.

3 Q. No other social media whatsoever?

4 A. Not that I can think of at this moment.

5 Q. You know this is the moment to think of it.

6 A. Yeah, and it's not coming to me.

7 Q. Okay. If you think about it later, will you let
8 your lawyer know so he can let us know?

9 A. I will.

10 Q. Any other computers that you've owned other than
11 this VIZIO?

12 A. I have a Toshiba.

13 Q. Is that what you have today?

14 A. Yes.

15 Q. When you say you looked through your documents on
16 your e-mail, what did you look for?

17 A. Anything just pertaining to the club name or just
18 anything that would have anything to do with this
19 whole situation.

20 Q. Okay. First of all, did you go through your
21 calendars and see what you did every day?

22 A. Yeah, well, see, I don't even have any type of --
23 any intel on anything back in that time. I don't
24 have those phones. I don't have those records.
25 Those are old iPhones that I don't have anymore.

1 Q. Did you go to school?

2 A. Not at the time I was dancing.

3 Q. Okay. Did you graduate high school?

4 A. Yes.

5 Q. From where?

6 A. Dacula.

7 Q. I'm so sorry?

8 A. Dacula.

9 Q. What year did you graduate?

10 A. 2011.

11 Q. Did you ever apply to any colleges?

12 A. Yeah, I went to college. I just didn't finish.

13 Q. So you applied to a college and you got accepted?

14 A. Yeah.

15 Q. What college?

16 A. I went to Savannah State, and I went to Stillman
17 College in Tuscaloosa, Alabama.

18 Q. You went to Savannah State and Stillman?

19 A. Yeah. I went to Savannah State first semester and
20 to Stillman second semester.

21 Q. Okay. Is that all the college you've completed?

22 A. Yeah.

23 Q. Okay. Did you obtain any degrees?

24 A. No.

25 Q. So you stopped going after your freshman year?

1 A. Yes.

2 Q. Did you work anywhere while you were in Savannah?

3 A. No.

4 Q. Did you work anywhere when you went to Stillman?

5 A. No.

6 Q. Have you ever held a job other than as an
7 entertainer?

8 A. No.

9 Q. So when you were in high school, you didn't hold any
10 jobs?

11 A. The Follies was my first job.

12 Q. And then -- and you haven't held any jobs after,
13 other than in the adult entertainment?

14 A. Actually, when I went to Texas, I did this -- as
15 soon as I got to Texas, I did this like -- I don't
16 know what the job title is for this job, but it's
17 like when car dealerships -- you have people who are
18 doing the little boxes to ask questions, and they
19 send the information to the dealership. I did a job
20 doing that for a month or so.

21 Q. Was that the first time you've ever been hired as an
22 employee by anybody?

23 A. Yes.

24 Q. Okay. So when you worked at The Follies, you
25 understood that you weren't being treated as an

1 employee, correct?

2 A. Well, when I worked there, I wasn't sure what I was.

3 Q. Okay. Well, nobody ever told you that they were
4 hiring you to perform a job, correct?

5 A. They don't hire me to perform a job.

6 Q. Did anybody ever promise to pay you any money for
7 what you were doing?

8 A. Oh, no.

9 Q. Did anybody ask you to fill out an employment
10 application?

11 A. No.

12 Q. Did anybody ask you to -- did anybody have you
13 complete any IRS forms?

14 A. No.

15 Q. Did anybody tell you a schedule?

16 A. No.

17 Q. Did you apply to work on any particular shift or
18 schedule?

19 A. Well, when I first started working there, I wasn't
20 allowed to work day shift or mid shift. I had to
21 work night shift.

22 Q. Did anybody tell you what days of the week to show
23 up on the night shift?

24 A. No.

25 Q. You got to choose that all by yourself, right?

1 A. Yes.

2 Q. And you already told me nobody promised you that
3 they were going to pay you any money for that,
4 right?

5 A. Right.

6 Q. You understood that the money that you were going to
7 get was going to come from the customers?

8 A. Yes.

9 Q. What -- how did you learn about The Follies?

10 A. This girl who worked there called me up, because I
11 went to school with her, and she asked me what was I
12 doing for money and did I want to come work where
13 she was working.

14 Q. And did she tell you that that was in the adult
15 entertainment field?

16 A. Yes.

17 Q. Did this girl have a name?

18 A. Catherine.

19 Q. Does she have a last name?

20 A. I'm trying to think of her last name, but -- you
21 know, we know girls by other names, and I can't
22 remember her --

23 Q. What was the stage --

24 A. -- last name.

25 Q. -- name that she went by?

1 A. To be honest, I don't remember her stage name.

2 Q. Okay.

3 A. But her real name is Catherine.

4 Q. So Catherine whose last name you don't recall --

5 A. Right.

6 Q. -- whose stage name you don't remember, called you
7 up and said, I'm working at The Follies. Why don't
8 come here and work?

9 A. No, she didn't tell me where she was working. She
10 just told me she had a job making really good money
11 and asked me if I was interested.

12 Q. So she told you she was making really good money?

13 A. Yes.

14 Q. Did you ask her what she meant by that?

15 A. Yeah, and she told me dancing.

16 Q. And did she tell you how much money she was making?

17 A. Uh-uh.

18 Q. Did you ask her?

19 A. No.

20 Q. Did you ask her what she thought really good money
21 was?

22 A. No.

23 Q. And so how long after you graduated high school did
24 you have this conversation with her?

25 A. It was literally right after -- well, no. This was

22 Q. So a friend of yours from high school called you up
23 and said, I'm making really good money taking off my
24 clothes and entertaining customers, and you said,
25 Great, I'll be there tomorrow?

1 A. Yeah.

2 Q. Okay. Now, you showed up and -- did you meet with
3 somebody?

4 A. Yeah, the manager. Jim was the manager at the time.

5 Q. And you had to complete some -- a couple of
6 documents?

7 A. He told me to go get my permit. As soon as I could
8 come back with my permit, I could work night shift.

9 Q. So you understood that you had to have a permit to
10 perform there?

11 A. Yes.

12 Q. Okay. What did you have to do to get a permit?

13 A. Go to the DeKalb County, fingerprint.

14 Q. What kind of permit was it?

15 A. Dancing license to work in DeKalb County.

16 Q. So you understood that you just couldn't be -- you
17 couldn't just walk in off the street at that
18 point --

19 A. And just work there.

20 Q. Let me finish my question --

21 A. Okay.

22 Q. -- so that she -- otherwise, she'll start yelling at
23 us.

24 A. I'm sorry.

25 Q. So you understood you had to have a permit to work

1 there?

2 A. Yes.

3 Q. And that was a permit issued by the County of
4 DeKalb?

5 A. Yes.

6 Q. And you had to have certain requirements before you
7 could work there, right, before you could get the
8 permit?

9 A. What do you mean, like requirements?

10 Q. Well, you had to go show proof of your age?

11 A. At DeKalb County?

12 Q. Yes.

13 A. Yes.

14 Q. You had to be fingerprinted?

15 A. Yes.

16 Q. And you couldn't be convicted of certain offenses?

17 A. Right.

18 Q. Okay. You had to pay some money?

19 A. Yes.

20 Q. How much did you have to pay?

21 A. I don't remember how much the fee was, but it was
22 almost like \$400.

23 Q. \$400?

24 A. Almost.

25 Q. Okay.

1 A. I think.

2 Q. And any other requirements that you could recall?

3 A. Uh-uh, no.

4 Q. Now, when you got that permit from the county, did
5 you understand it allowed you to dance anywhere
6 within DeKalb County?

7 A. Yes, but I could only dance --

8 Q. Just please answer my questions. I know you have
9 lots of things you want to say. I promise I will
10 ask you questions, but just try to respond to my
11 questions. Okay?

12 A. Okay.

13 Q. It goes a lot smoother.

14 A. Okay.

15 Q. Okay?

16 A. Okay.

17 Q. Now, you had a permit, right, and that allowed you
18 to dance at any of the clubs in DeKalb County?

19 A. Yes.

20 Q. And there were how many that you could dance at?

21 A. I don't even recall how many clubs there are in
22 DeKalb County, but it's -- it's a bit.

23 Q. Okay. And that same permit that you got you needed
24 to go dance at any of them, right?

25 A. In DeKalb County.

1 Q. And it's the same permit you used when you danced at
2 Shooter's -- Shooter's Alley?

3 A. Yes.

4 Q. Did you have to renew that permit?

5 A. Yes.

6 Q. How many times have you renewed that permit?

7 A. I think I renewed my permit two times.

8 Q. Twice?

9 A. (Nonverbal response.)

10 Q. Did it cost the same each time?

11 A. Yes.

12 Q. So you would have gotten your permit in 2012,
13 renewed it in --

14 A. '13.

15 Q. -- 2013 and renewed it in 2014 as well?

16 A. I don't think I was working there in 2014.

17 Q. I don't care where you were working. Did you renew
18 your permit in DeKalb County?

19 A. I don't remember because if I wasn't working there,
20 then I didn't.

21 Q. Now, are there other clubs in the greater Atlanta
22 area that you did not need a permit to work at?

23 A. Not that I know of.

24 Q. Did you ever have a permit issued by any other
25 governmental agency?

1 A. The City of Atlanta.

2 Q. Uh-huh.

3 A. The Gold Club, that was the City of Atlanta.

4 Q. Did you have to get a license from the City of
5 Atlanta?

6 A. Yes.

7 Q. What was the process to get a license from the City
8 of Atlanta?

9 A. It was ideal[sic] to the process of DeKalb.

10 Q. Identical you said?

11 A. Uh-huh.

12 Q. Is that a yes?

13 A. Yes.

14 Q. I may sometimes interrupt you and say, Is that a
15 yes, or Is that a no?

16 A. Okay.

17 Q. Or repeat something you just said. I'm not trying
18 to be rude or disrespectful. It's just I want to
19 make sure that we have a clean, clear record. Okay?

20 A. Okay.

21 MR. LUCAS: It's just his personality.

22 MR. RUBIN: My personality is rude and
23 disrespectful. I'm just teasing.

24 Q. So you had a permit from the City of Atlanta?

25 A. Yes.

1 A. Yes.

2 Q. Any time you worked at Shooter's, would you have
3 used the stage name Climax?

4 A. Yes.

5 Q. Any time that you performed at Heartbreakers, would
6 you have used the name Climax?

7 A. Autumn.

8 Q. Autumn?

9 A. Uh-huh.

10 Q. Are you the only Autumn at Heartbreakers?

11 A. Yes.

12 Q. Were you the only Climax that you were aware of at
13 The Follies?

14 A. Yes.

15 Q. Were you the only Climax that you were aware of at
16 the Goldrush or Gold Club, whichever it may have
17 been?

18 A. I think I went by Taylor there.

19 Q. Taylor?

20 A. Yes.

21 Q. Did you choose all these names that you were using?

22 A. Yes.

23 Q. So when you went -- by the way, the permit that you
24 got for the City of Atlanta, how many clubs did that
25 allow you to work for?

1 A. No. I'm an independent contractor, but they gave me
2 the option to be an employee and take all my money
3 or be an independent contractor.

4 Q. So as I understand what you are saying -- and let me
5 just see if I understand it correctly. The one time
6 that you've been offered the opportunity to be an
7 employee was at Heartbreakers?

8 A. Yes.

9 Q. And at Heartbreakers they gave you an option to pay
10 you a wage?

11 A. Yes.

12 Q. And what was the wage that they promised or they
13 told you that they were willing to pay you?

14 A. Minimum wage.

15 Q. Okay. So what's minimum wage in --

16 A. 7.25.

17 Q. So they offered to pay you seven and a quarter an
18 hour to perform as an entertainer?

19 A. That's correct.

20 Q. Or allow you to perform as an independent contractor
21 in which you wouldn't be their employee doing their
22 bidding but performing -- running your own business
23 essentially and getting to keep the money?

24 A. Yes.

25 Q. And in that circumstance you chose to be a

1 Q. And that's a gamble that at least when you were at
2 Heartbreakers you chose to take, correct?

3 A. Correct.

4 Q. That's based upon your experience having been a
5 dancer at least three our clubs?

6 A. That's based upon I can't survive off of 7.25 an
7 hour.

8 Q. And you make far more by being a contractor?

9 A. On a good day.

10 Q. Well, let me ask you some questions. What's a good
11 day?

12 A. A day that I come out with more money than I have to
13 pay to the club.

14 Q. Okay. So let me ask you a question, if I wanted to
15 know how much money you made -- when was the last
16 time you danced at Heartbreakers?

17 A. Sunday.

18 Q. How much did you make at Heartbreakers on Sunday?

19

21 A. (Nonverbal response.)

22 Q. How about Saturday; did you dance Saturday at the
23 club?

24 A. No.

25 Q. Friday?

1 A. Yes.

2 Q. How much did you make Friday?

3 A. I don't remember.

4 Q. Approximately?

5 [REDACTED]

6 Q. [REDACTED]

7 A. Yes.

8 Q. How much did you dance -- how much did you earn --
9 did you dance Thursday?

10 A. No.

11 Q. Did you dance Wednesday?

12 A. No.

13 Q. Tuesday?

14 A. Yes.

15 Q. How much did you earn last Tuesday?

16 A. [REDACTED]

17 Q. Did you dance Monday?

18 A. No.

19 Q. So last week -- last week, if my math is right, you
20 made about [REDACTED]

21 A. Yes.

22 Q. Is that a pretty average week at Heartbreakers?

23 A. Pretty average.

24 Q. So working three days a week you made about [REDACTED]
25 bucks?

1 A. Yes.

2 Q. Is that typical for how much you made when you
3 worked at the Gold Club -- Goldrush?

4 A. No, there was no money in there.

5 Q. How about at the Follies?

6 A. No. I made at a lot more money at Follies.

7 Q. You made more than [REDACTED] a week?

8 A. Yes.

9 Q. How much on average did you make a week at Follies?

10 A. Anywhere between [REDACTED].

11 Q. So you worked there all of 2012?

12

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23 Q. Okay. Well, did you work in -- you worked from May
24 until the end of the year, May until December?

25 A. Yes, 2012.

1 Q. And if you averaged between [REDACTED]

2 A. I wasn't averaging that at the time.

3 Q. What were you making? What were you averaging then?

4 A. A lot less than that.

5 Q. Okay. Tell me.

6 A. I can't even tell you because I don't remember, but
7 it was a lot less than that because there were
8 nights where I wasn't making a dollar.

9 Q. Did you average [REDACTED] a week?

10 A. Maybe -- maybe so. A little less, a little more.

11 Q. So just in the short term that you worked there in
12 2012, you averaged -- you probably made [REDACTED]

13 [REDACTED]

14 A. Around that number.

[REDACTED]

[REDACTED]

[REDACTED]

18 Q. In 2013 you worked at The Follies?

19 A. Yes.

20 Q. Did you work the same kind of schedule as you work
21 today?

22 A. No. At Follies I was working every shift in 2013.

23 Q. Every shift?

24 A. Yeah.

25 Q. So every day of the week, all three shifts?

1 A. No. But six days out of the week I was in there all
2 three shifts, yes.

3 Q. All three shifts?

4 A. Yes, from the time it opened to the time it closed.

5 Q. So you were there about 18 hours a day?

6 A. About 16.

7 Q. About 16 hours a day, six days a week?

8 A. I was.

9 Q. Okay. I understand that's what you are saying. You
10 were there 96 hours a week. Is that what you are
11 saying?

12 A. Yes.

13 Q. Okay. And how much did you earn in those 96 hours a
14 week on average?

[REDACTED]

[REDACTED]

[REDACTED]

18 Q. So if I were to tell you that was about [REDACTED] an
19 hour, would that surprise you?

20 A. No.

21 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

7 Q. Okay. So -- but just using your average --

8 A. I don't know about my average because this is like a
9 whole bunch of math that I'm trying to do off the
10 top of my mind, and that's not accurate, so I can
11 only do so much.

12 Q. You said you averaged about [REDACTED]

13 A. But when it comes to these specific numbers and all
14 that --

15 Q. You have an iPhone, so [REDACTED], right?

16 A. Yes.

17 Q. You recognize the calculator?

18 A. Yes.

19 Q. You said you worked 52 weeks? How many weeks did
20 you work? Did you go on vacation at all?

21 A. No.

22 Q. Did you work every week?

23 A. Pretty much for the whole time I was there.

24 Q. So that's 52, right?

25 A. Yes.

1 Q. That's -- how much is that?

2 A. About [REDACTED]

3 Q. You see I did the math; you could follow it?

4 A. Yes.

5 Q. You can see that?

6 A. Yes.

7 Q. Okay.

8 A. Apparently if that's what these hours are and that's
9 what it says, then that must be it.

10 Q. Then you claimed that you worked 96 hours a week,
11 right?

12 A. Six hours a day.

13 Q. How many?

14 A. I'm sorry. Six days a week for 12:00 p.m. until
15 4:00 a.m.

16 Q. So 16 hours times 6.

17 A. Let's do 12:00 to 4:00. How many hours is that?

18 Q. 96. 12 times 6 is 96.

19 A. Yeah, 16 hours a day.

20 Q. 12 times 6 is 96. I just did the math.

21 A. Okay.

22 Q. Can you see that?

23 A. Yes, all this is accurate.

24 Q. Because I -- I don't want to trick you at all. I
25 divided that by -- I divided [REDACTED] by 96, and that's

1

2 A. That sounds about good.

3 Q. Okay. Just making sure. I want to make sure that I
4 had it right and that you could see what I did.

5 A. Yes.

6 Q. You stopped working there in 2013 at The Follies,
7 correct?

8 A. Correct.

9 Q. You never went back and worked again there, correct?

10 A. Correct.

11 Q. Now, when you worked at Shooter's Alley --

12 A. Yes.

13 Q. -- what kind of money were you making there?

14 A. Maybe like [REDACTED] a night.

15 Q. How many nights a week were you working there?

16 A. About four.

17 Q. So you were working -- so you made between [REDACTED] and
18 [REDACTED] a week there?

19 [REDACTED] Possibly.

20 Q. Just going -- I'm going to take [REDACTED] because
21 that's in the middle, right, and you said you worked
22 there for about six months?

23 A. Yes.

24 Q. So that's 26 weeks times [REDACTED], so you made
25 about [REDACTED] there as well?

1 A. (Nonverbal response.)

2 Q. So if I had my math -- what did you do in 2014? Did
3 you work somewhere?

4 A. I think that's when I went to Houston.

5 Q. When in 2014 did you go to Houston?

6 A. Around April.

7 Q. Is that when you started working at Heartbreakers?

8 A. I started working at Heartbreakers in December.

9 Q. What did you do between April and December?

10 A. I had that little telemarketing thing for like a
11 month and then I wasn't working.

12 Q. You were living off your savings?

13 A. Uh-huh.

14 Q. Is that a yes?

15 A. Yes.

16 Q. So if I have my math right, and I just want to make
17 sure that this comports with what you think, you
18 made in probably two years of dancing about

19 [REDACTED]

20 A. Probably more than that.

21 Q. More than that?

22 A. Yeah, I made bank at Follies.

23 Q. Did you save that money in a bank account?

24 A. Kind of, yeah.

25 Q. Do you have a bank account?

1 A. '07.

2 Q. Did you take a loan on that?

3 A. Yes.

4 Q. From Wells Fargo?

5 A. No.

6 Q. From whom?

7 A. From -- it's -- it wasn't my car. It was somebody
8 else's car, but I was paying for it.

9 Q. And you were writing checks to Chrysler Financial or
10 whomever?

11 A. I was paying for it out of my account.

12 Q. Who were you paying the checks to?

13 A. Crescent Bank & Trust.

14 Q. And were you getting the money to pay that from
15 dancing?

16 A. (Nonverbal response.)

17 Q. Is that a yes?

18 A. Yes.

19 Q. How much were the payments a month?

20 [REDACTED]

21 Q. Okay. Did you have an apartment?

22 A. Yes.

23 Q. When you were here in Atlanta?

24 A. Yes.

25 Q. Where did you live?

1 A. In Buckhead.

2 Q. Did you live alone or did you have a roommate?

3 A. I had a significant other.

4 Q. Okay. And did you make the rent payments?

5 A. Yes.

6 Q. From money you earned while dancing?

7 A. Yes.

8 Q. And how much were the rent payments a month?

9

10 Q. And you earned that money only from dancing?

11 A. Yes.

12 Q. Any other -- did you have student loans?

13 A. Yes.

14 Q. Did you make payments on those?

15 A. Yes.

16 Q. How much were you paying a month?

17 A. I didn't do it consistently. But when I did, it was
18 like [REDACTED] dollars.

19 Q. That came from dancing --

20 A. Yes.

21 Q. -- the money?

22 A. (Nonverbal response.)

23 Q. Any other source of regular -- strike that.

24 Any other regular payments that you would make?

25 A. Car insurance, the light bills, the electricity, any

1 bill that needed to be taken care of.

2 Q. So when you were living here in Atlanta and dancing
3 at The Follies, you would dance at The Follies and
4 you would deposit a portion of your money?

5 A. And then keep the rest of it on me.

6 Q. In cash?

7 A. (Nonverbal response.)

8 Q. Did you do anything to track -- strike that.

9 Would you go to the bank on a regular basis or
10 was it just on occasion?

11 A. No. It was on -- it was just being new in society
12 and trying to figure stuff out.

13 Q. But my question is, did you go every Friday? Did
14 you go every other Friday? Once a month?

15 A. Sporadically. So where are all these questions
16 about --

17 MR. LUCAS: Uh, uh, uh, uh. Just answer
18 the questions he asks. Okay?

19 THE WITNESS: Okay.

20 MR. LUCAS: He only gets to know what he
21 asks.

22 THE WITNESS: Okay. It's just like he's
23 asking all of my information.

24 MR. LUCAS: No, no, no, no, no. Just
25 answer his questions. No commentary, no narratives.

1 Okay?

2 THE WITNESS: All righty.

3 BY MR. RUBIN:

4 Q. Now, you had a significant other. Did that person
5 have a name?

6 A. Yes, but I don't want to tell his name.

7 Q. What was his name?

8 A. I don't feel like that's necessary. Like this is
9 ridiculous.

10 MR. LUCAS: You know what? Let's take a
11 break. Let's take a break. I need to go to the
12 restroom anyway.

13 MR. RUBIN: Fair enough.

14 (Recess.)

15 BY MR. RUBIN:

16 Q. Who did you live with in 2013?

17 A. My boyfriend.

18 Q. What's his name?

19 A. Tamar Raheem.

20 Q. How do you spell his last name?

21 A. R-A-H-E-E-M.

22 Q. R-A-H?

23 A. E-E-M.

24 Q. Are you still with Mr. Aheem[sic]?

25 A. Raheem. Yes, I am.

1 Q. Is it R-A-H?

2 A. R-A-H.

3 Q. I thought you said A-A-H?

4 A. Yes, it is R-A-H.

5 Q. Are you still with Mr. Raheem?

6 A. Yes, I am.

7 Q. Does he live in Texas with you?

8 A. Yes, he does.

9 Q. Does Mr. Raheem -- does he have a job?

10 MR. LUCAS: That's enough. I'm going to
11 instruct her not to answer. It's completely
12 irrelevant. If you want to call the arbitrator, we
13 can.

14 Q. So when he lives with you at the same address --

15 MR. LUCAS: That's enough. She already
16 answered that. Asked and answered.

17 Q. Okay. Anybody else live with you in 20- --

18 MR. RUBIN: So if I were to continue down
19 that line, you would just continue to instruct her?
20 So we have a clean and clear record.

21 MR. LUCAS: You mean continuing down a
22 line that has nothing to do with the lawsuit?

23 MR. RUBIN: I think it has lots to do with
24 the lawsuit.

25 MR. LUCAS: You asked her if she still

1 and puffing and making faces and making comments.

2 MR. YOUNGELSON: It's because I have heart
3 failure.

4 MR. LUCAS: No, no. You are talking. You
5 are very loud, and you are reacting to her answers.

6 MR. YOUNGELSON: I'm so sorry.

7 MR. LUCAS: Thank you. I appreciate your
8 apology.

9 BY MR. RUBIN:

10 Q. Now, anybody else who may be familiar with your
11 schedule from to 2013?

12 A. No.

13 Q. Did you have any other roommates who may have
14 resided with you?

15 A. No.

16 Q. Is Mr. Raheem originally from the Atlanta area?

17 A. No.

18 Q. Where is he from originally?

19 A. New York.

20 Q. New York. How old is he?

21 A. Older.

22 Q. Older? Is he more than ten years older than you?

23 A. Yes.

24 Q. Approximately -- if you could guess, how --

25 MR. LUCAS: I'd instruct her not to

1 answer.

2 MR. RUBIN: Okay.

3 MR. LUCAS: Let's go on to the lawsuit.

4 We're an hour and 15 minutes in.

5 MR. RUBIN: You know, we can play this
6 game, if you want, Paul. But as you know, she's
7 made some claims so far today that I'm entitled to
8 follow up on.

9 MR. LUCAS: Follow up.

10 BY MR. RUBIN:

11 Q. Approximately how old is Mr. Raheem?

12 A. 50.

13 Q. Okay. Now, you said in 2013 you would regularly
14 perform at The Follies and that was the only place
15 you would perform?

16 A. Yes.

17 Q. So you would have been pretty familiar with how the
18 process worked when you went into the club?

19 A. Yes.

20 Q. Okay. When you went into the club, did you have to
21 let somebody know you were there?

22 A. Yes.

23 Q. Okay. And when you got there, who would you let
24 know?

25 A. The house mom.

1 Q. And at some point would you have to let the DJ know
2 that you were leaving?

3 A. Yes.

4 Q. Did the DJ have some sheets that he was recording
5 when you came and went on?

6 A. Yes.

7 Q. Did you have to initial those?

8 A. Yes.

9 Q. Did you initial those on every day that you
10 performed there?

11 A. On the night shift, yes.

12 Q. And on the day shift, did you initial as well?

13 A. No.

14 Q. Never?

15 A. Well, I'm not going to say never, but I don't really
16 remember. I remember on the night shift we had to
17 initial.

18 Q. Would it record -- would you write on this document
19 yourself?

20 A. No.

21 Q. So you wouldn't record -- like you wouldn't initial
22 it?

23 A. Well, I would initial it, yes.

24 Q. Other than initialing it, would you have written on
25 it in any way?

1 A. No.

2 Q. So the only thing that you would have done is
3 initial it to attest that it was --

4 A. Correct.

5 Q. -- you?

6 A. Yes.

7 Q. And did you initial it believing it to be correct?

8 A. Yes.

9 Q. Did you ever believe it not to be correct?

10 A. No.

11 Q. Okay. Was that the same process that you followed
12 on every day that you went there --

13 A. Yes.

14 Q. -- in 2013 at least?

15 A. Yes.

16 Q. Is that the same process that you saw other
17 entertainers following?

18 A. Yes.

19 THE WITNESS: Did you tell him about the
20 paperwork?

21 MR. LUCAS: Uh-huh. We'll tell him about
22 it when we get to it.

23 MR. RUBIN: Is there something that you
24 want to tell me about?

25 MR. LUCAS: Yeah, there's a couple of

1 inaccuracies in her interrogatory answers that she
2 wants to correct, a correction she gave us that we
3 didn't make.

4 MR. RUBIN: Well, we can --

5 MR. LUCAS: When we get to that, we'll
6 deal with it. It's pretty minor stuff.

7 BY MR. RUBIN:

8 Q. Now, was there a particular DJ who you worked with
9 more frequently than others?

10 A. Yes.

11 Q. Who was that?

12 A. Julian.

13 Q. Julian?

14 A. Yes.

15 Q. Did you ever work with a DJ John?

16 A. Yes.

17 Q. Did you ever work with a DJ Brian?

18 A. Yes.

19 Q. Any other DJs that you recall working with?

20 A. Josiah.

21 Q. What?

22 A. Josiah.

23 Q. Josiah. Would all these DJs follow the same
24 process?

25 A. No.

1 Q. Were they slightly different?

2 A. Yes.

3 Q. How were they different between the DJs?

4 A. Julian would let us pay him to not go on stage, and
5 sometimes he didn't charge us.

6 Q. Okay.

7 A. Josiah took \$20 if we didn't want to get on stage.
8 Brian never let us skip stage.

9 Q. Okay.

10 A. And then I don't remember about the -- whatever his
11 name is.

12 Q. Well, let me ask you some basic questions, if I
13 can. When you went to work at the club --

14 A. Yes.

15 Q. -- and you walked in the door, approximately how big
16 was it?

17 A. Spacious.

18 Q. Is it a large club, small club, medium club?

19 A. Medium club.

20 Q. How does it compare to where you work today?

21 A. It's like tiny compared to the club I work at now.

22 Q. Okay. And how does it compare to the Goldrush?

23 A. It's not as big as the Goldrush.

24 Q. It's a smaller club, right?

25 A. It's a smaller club.

1 Q. And dancing to whatever music they may like?

2 A. No. We didn't pick our music.

3 Q. Did you pick the type of music you liked?

4 A. Yes.

5 Q. Did you tell the DJ what kind of music you liked to
6 perform to?

7 A. Yes.

8 Q. And within that -- and generally they would call you
9 up when they were playing whatever the music that
10 you liked was?

11 A. They called us up as we were on the schedule.

12 Q. You said there was a schedule that they kept?

13 A. Well, a list of all the girls who came in as you
14 sign in, that's the list that you go up on stage by.

15 Q. Okay. Did anybody at the club ever tell you that
16 you had to go on stage?

17 A. Yes.

18 Q. Who?

19 A. The club.

20 Q. Who?

21 A. The house mom, the DJs, anybody who -- unless Julian
22 was there and he let me pay him not to go on the
23 stage or Josiah.

24 Q. Let me start out real slowly. What was the house
25 mom who told you that you were required to go on

1 stage?

2 A. Abby, Victoria, T, Sabina.

3 Q. They all told you that?

4 A. Yes, you have to go on stage.

5 Q. Hear me out. Just hear me out.

6 A. Yes.

7 Q. Somebody told you that you were required to go on
8 stage?

9 A. The DJ in particular. I already said the DJs.

10 Q. Which DJ?

11 A. All four of them, unless Josiah was in one of his
12 nice up feelings, or Julian was there.

13 Q. And did anybody tell -- so after the first -- did
14 they tell you that on the first day?

15 A. Also the management.

16 Q. Who?

17 A. Cain.

18 Q. Cain told you that you had to go on stage?

19 A. Yes.

20 Q. Anybody else?

21 A. Stevie.

22 Q. Is that Steve Shine?

23 A. Yes.

24 Q. Anybody else?

25 A. Jim never said anything to me. Steve -- no, he

1 never said anything to me either. Those are pretty
2 much the only ones.

3 Q. And they told you that you had to go on stage, and
4 one of the DJs told you that you could pay \$20 to
5 him if you didn't want to?

6 A. Yes.

7 Q. Did you ever pay \$20 to him?

8 A. Yes.

9 Q. How many times?

10 A. Like -- I don't even know how many times to count.
11 Probably like 50 times.

12 Q. Probably like 50 times?

13 A. Yes.

14 Q. Probably like 50 times. So what days did -- which
15 one did you pay that to, Josiah?

16 A. Josiah and sometimes Julian, just if I was feeling
17 nice, but Julian didn't --

18 Q. Okay. No, no. These are the ones that you paid \$20
19 to, not because you were feeling nice, because you
20 didn't want to go on stage; that's what I'm asking
21 you.

22 A. But sometimes Julian would let -- Julian would let
23 us skip if he was there without paying.

24 Q. Okay. So Julian would let you skip without paying
25 sometimes?

1 A. Sometimes.

2 Q. Okay. And Josiah --

3 A. Always took \$20.

4 Q. -- took \$20 when you didn't want to go on stage?

5 A. And we couldn't skip with Brian or the other guy.

6 Q. So did you ever work with Brian when you initialed
7 the amount that you tipped him out?

8 A. I don't know.

9 Q. Okay. Did you typically tip out the DJs?

10 A. Yes.

11 Q. Was it customary to tip out the DJs at the club?

12 A. Yes.

13 Q. That's because in part they were providing services
14 to you, right?

15 A. Right.

16 Q. It's kind of industry practice for people who
17 provide you services for you to tip out to?

18 A. It's the rules.

19 Q. It's also industry practice, right?

20 A. Well, it was required of me, so I did it.

21 Q. Was it required of you at Heartbreakers?

22 A. Yes.

23 Q. And you do it there?

24 A. Yes.

25 Q. Was it required of you at Shooter's?

1 A. Yes.

2 Q. And you did it there?

3 A. Yes.

4 Q. Was it required of you at Goldrush?

5 A. Yes.

6 Q. And you did it there?

7 A. Yes.

8 Q. Was it all around the same amount at each of the
9 clubs?

10 A. Yes.

11 Q. What was the amount?

12 A. Ten percent of what you make.

13 Q. And that was what was required?

14 A. Yes.

15 Q. Who told you that paying ten percent of what you
16 make was required at The Follies?

17 A. The DJ and management.

18 Q. First of all, which DJ?

19 A. All of them.

20 Q. Which manager?

21 A. All of them.

22 Q. All the managers told you that you were required to
23 pay ten percent?

24 A. Yes.

25 Q. What day did they tell you that?

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1 Q. So you thought that if you put in more, the DJs
2 would treat you better and you'd get out more?

3 A. No. I think that the law of attraction would treat
4 me better when people get what they work for.

5 Q. I'm not understanding what you are saying.

6 A. The minimum dollars was ten percent of what I made.
7 I always tipped out way more than ten percent
8 because it's just the right thing to do. If you
9 worked hard and the minimum is ten percent, the DJ
10 told me that -- all the DJs said that they have to
11 pay a club a portion of the tip outs, so I always
12 tip more than ten percent.

13 Q. Did you choose to do that?

14 A. I choose to tip more than ten percent, but it was
15 required for me to tip at least ten percent.

16 Q. Okay. Let's just say you made a hundred bucks.

17 A. \$10.

18 Q. Right. You claim that \$10 was --

19 A. Required.

20 Q. -- what the minimum was?

21 What would you typically then tip out on a
22 hundred dollars?

23 A. 7 or \$8 more.

24 Q. So you would tip -- so you would choose to tip out
25 17 or 18 as opposed to 10?

1 A. Yes.

2 Q. And that was of your own free choice?

3 A. Yes.

4 Q. Were there other people who you tipped out?

5 A. The bartender, the house mom and the security.

6 Q. Did the bartender provide services to you?

7 A. Made drinks.

8 Q. And have you been to a bar other than The Follies or
9 an adult club?

10 A. No.

11 Q. Well, have you ever been to Starbucks?

12 A. Oh, yes.

13 Q. Some people make -- they make you drinks?

14 A. Yes.

15 Q. I see that you have one. That's why I asked you.

16 A. Yes, yes.

17 Q. When you bought that coffee or whatever drink that
18 you were drinking, did you throw some money in the
19 change drawer?

20 A. No.

21 Q. Was that your choice?

22 A. Yes.

23 Q. You understand it's typical that when people provide
24 you service like waiters or waitresses, bartenders,
25 that it's typical to tip?

1 A. Yes.

2 Q. Did you tip the bartender?

3 A. Whenever they made me a drink, yes.

4 Q. Was that of your own free will?

5 A. Yes. As far as tip out, I had to tip at least \$5
6 every day, though --

7 Q. Did you --

8 A. -- before I leave and they would sign a sheet saying
9 that I tipped it.

10 Q. Did you typically tip more than \$5?

11 A. No.

12 Q. That includes when they made you drinks?

13 A. No. I mean, if they make me a drink, then I'm going
14 to tip them then. But this is at the end of the
15 night: Before I leave, I have to pay everybody.
16 And when I pay the bartender, I give him \$5 and
17 that's it.

18 Q. Okay. And anybody else that you would tip?

19 A. The house mom.

20 Q. How much would you tip the house mom?

21 A. I tipped the house mom about -- to start, day shift,
22 it was 25.

23 Q. Okay.

24 A. Mid shift was 25, sometimes 15, depending on the
25 day. It's like on Saturdays for the drink tickets,

1 the price went up.

2 Q. So let's talk about some of this stuff. So you said
3 you would tip the house mom?

4 A. Yes.

5 Q. What would the house mom do for you?

6 A. Provide feminine products, watch over our
7 belongings.

8 Q. Did she bring -- was there food and drink back
9 there?

10 A. Yes.

11 Q. Were there other types of -- other than feminine
12 products, other types of products that she would
13 supply to you?

14 A. Just like little trinkets that we might need; burn
15 cream, stuff like that.

16 Q. Did you have to pay for that?

17 A. No. That was just like you should tip her.

18 Q. So it was just like you should tip her?

19 A. Right.

20 Q. And in exchange for whatever you tipped her, you got
21 all these free products?

22 A. Pretty much, yes.

23 Q. And services, right? She'd help you with your hair?

24 A. Yes, yes, yes.

25 Q. And so in exchange for her providing those services

1 to her -- to you, you would tip her?

2 A. Yes. I mean, there was a house mom fee, but we were
3 still supposed to tip, I guess, if you want to.

4 Q. Let me ask you: Was there a schedule of tips in
5 writing anywhere?

6 A. A schedule of tips in writing?

7 Q. Where all these tips that you said that you were
8 required to pay out were labeled anywhere?

9 A. No. We had see ya passes. When you go to the DJ,
10 you pay him. He marks it. When you go to the
11 bartender, you pay them, they mark it. That's all
12 we had.

13 Q. That's not my question.

14 A. Did Follies keep up with their records as far as --

15 Q. Ma'am, ma'am --

16 A. -- if our -- their independent contractors tipped
17 out every day? Do they have that type of
18 information?

19 Q. Ma'am, that's not my question to you. My question
20 to you is this: And listen carefully.

21 MR. LUCAS: The first part was responsive,
22 but --

23 Q. Listen carefully. Did you see anywhere a schedule
24 of these required tips that you say that you made?

25 A. Oh, yeah, I was made to sign some paperwork that had

1 Q. So listen to me. Okay?

2 A. Okay.

3 Q. Did anybody force you to work at The Follies?

4 A. No.

5 Q. Did you choose to work at The Follies of your own
6 free will?

7 A. Yes.

8 Q. Prior to signing any paperwork at The Follies --

9 A. Yes.

10 Q. -- did you make a conscious decision that you wanted
11 to continue your employment, or whatever it was,
12 your relationship with the club?

13 A. Say that one more time.

14 Q. Prior to signing any of the paperwork that was
15 presented to you, okay, did you make a conscious
16 decision that you wanted to sign the paperwork and
17 continue with your relationship at The Follies?

18 A. No. It was like I came to work, and it was, You
19 have to sign this now or you can't work here
20 anymore. So I don't even know what I signed.

21 Q. So it was either you have to sign it or you are not
22 allowed to continue to perform here?

23 A. Yes, and that's with my right hand up.

24 Q. Did you decide that it was worth it to continue your
25 employment at Follies?

1 Q. When you worked, by the way, at this telemarketing
2 company, did you have that same freedom?

3 A. No.

4 Q. You had a schedule?

5 A. Yes.

6 Q. You had to be there at certain times?

7 A. Yes.

8 Q. And they told you when you could come?

9 A. Yes.

10 Q. It wasn't the same at The Follies?

11 A. Yeah, but that's the only thing that was different
12 than anything else, that they didn't have a
13 schedule. But other than that, I had to pay tip
14 outs. I had to do everything else just like -- you
15 are trying to say whatever you are trying to say. I
16 don't know.

17 Q. Okay.

18 A. But --

19 Q. Well, was there a list of rules up anywhere?

20 A. Yeah, there was.

21 Q. What were the rules up?

22 A. You can't be in dressing room for more than 15
23 minutes. That was one of the rules.

24 Q. Any other rules?

25 A. No drug activity.

1 Q. Okay. Let me show you what was marked yesterday as
2 Exhibit 10.

3 A. Yeah, this was picked up after Onyx got their
4 settlement.

5 Q. Was that one of the -- one of the signs that you
6 were talking about and one of the rules?

7 A. This is a new rule. This is something that was done
8 not -- well way into my job there.

9 Q. Exhibit 4 from yesterday, is that one of the things?

10 A. Yes.

11 Q. Exhibit 5, was that the other sign that you are
12 referring to?

13 A. This is the same sign right here.

14 Q. So these are the rules that you are talking about?

15 A. Some of them.

16 Q. What other rules did you see in writing?

17 A. I don't know. It was a big -- it was a big list of
18 rules in there. I don't remember what they were.

19 Q. Let me show you something. I'll just ask you --
20 show you exhibit -- was there a big list of rules?

21 A. Yeah, it was a big list of rules that they put up
22 right after -- around the time that they put all
23 this stuff up.

24 Q. What was on that list of rules?

25 A. No prostitution. That's the only one I remember.

1 Q. And anything else?

2 A. I don't know.

3 Q. Was this the sign -- just -- I'm sorry. I'm going
4 to show you what was marked as Exhibit 6. The zero
5 tolerance dealing with illegal drugs?

6 A. No. That's been in there.

7 Q. So those are the only rules that you ever saw?

8 MR. LUCAS: Posted.

9 MR. RUBIN: Posted.

10 A. Yes.

11 Q. So were there any other written rules that you are
12 aware of?

13 A. See, like I don't understand. Like this whole thing
14 is null and void. It says right here, "Pay all fees
15 at the beginning of shift." So like everything that
16 -- that's your whole case right there.

17 Q. Ma'am, when you came to the club, did you have an
18 agreement with the club as to what you were going to
19 do and what they were going to do?

20 A. I was going to get my permit and then I was going to
21 work in that club. That was the agreement.

22 Q. When you showed up the very first day --

23 A. Yes.

24 Q. -- okay, did they tell you they were going to pay
25 you a wage?

1 A. No.

2 Q. Did they tell you that you were going to have to pay
3 them money?

4 A. Yes.

5 Q. Okay. That you would pay them money, and for paying
6 them that money, you would have the right to
7 perform?

8 A. Yes.

9 Q. Okay. Did you have any other agreement with the
10 club?

11 A. None.

12 Q. Okay. So you knew when you showed up every day, you
13 made a choice to pay a wage, right?

14 A. Yes.

15 Q. To pay the club?

16 A. Yes.

17 Q. And that for that payment, you would have the
18 opportunity to sell your services to customers?

19 A. Yes.

20 Q. And retain the fees that those customers pay you?

21 A. Yes.

22 Q. Okay. So in exchange for whatever the hundred bucks
23 or so you paid a day, you would get the right to
24 sell your services. And if you worked six days a
25 week, just say roughly 600 bucks, you'd make -- you

1

2 A. Correct.

3 Q. So you were making a profit of about [REDACTED] a week?

4 A. Uh-huh.

5 Q. Okay.

6 A. Yes.

7 Q. That was the only deal that you had?

8 A. Yes.

9 Q. And the day that you -- every day that you chose to
10 come back there, you knew what the deal was, right?

11 A. Yes.

12 Q. It wasn't that it was changing, right?

13 A. Right.

14 Q. You made a conscious decision to show up every day?

15 A. Yes.

16 Q. They had made the same deal with you, right -- well,
17 strike that.

18 Did anybody tell you they were going to pay you
19 tip minimum wage?

20 A. They were going to pay me?

21 Q. Yes, ma'am.

22 A. No, nobody told me they were going to pay me
23 anything.

24 Q. Did anybody tell you they were going to pay full
25 minimum wage?

1 A. No.

2 Q. Anyone tell you they were going to pay you a salary?

3 A. No.

4 Q. So you knew the deal, didn't you?

5 A. Of course.

6 Q. It wasn't a surprise to you?

7 A. No.

8 Q. And you already told me that if they said the deal
9 was seven and a quarter, it would have been a far
10 worse deal?

11 MR. LUCAS: Objection. Calls for
12 speculation. Go ahead.

13 A. No. They didn't give me that option. Follies
14 didn't give me that option.

15 Q. They didn't give you that option, but knowing how
16 much money you made --

17 A. If I wanted 7.25 an hour, I could have walked down
18 the street, like you said, and got that.

19 Q. At McDonald's?

20 A. Yeah. But it's pretty much a -- not that situation
21 there.

22 Q. Okay. And so at McDonald's you don't have the
23 opportunity to make [REDACTED] bucks a week either, do
24 you?

25 A. Nope.

1 Q. There aren't many jobs where you can make [REDACTED] a
2 year at your age?

3 MR. LUCAS: Objection. Calls for
4 speculation. Go ahead and answer, if you know about
5 every job in the country and how much they pay.

6 A. Yes, I do.

7 Q. Not many jobs that you can make that kind of money,
8 are there?

9 A. There probably are, actually, if you get creative.

10 Q. Not many for sure?

11 A. I'm not going to say that because there probably
12 are, if you were creative.

13 Q. So you show up, you make this deal, and they explain
14 to you whatever the fees that you understood there
15 to be for all these tip outs, right?

16 A. Uh-huh.

17 Q. Is that a yes?

18 A. Yes, that's a yes.

19 Q. And every day you showed back up, you knew that deal
20 too?

21 A. Yes.

22 Q. And every day you showed up, you chose to come to
23 this place as opposed to anywhere else?

24 A. Yes.

25 Q. And live up to those portions of the agreement?

1 wear some sort of dance attire, and on one occasion,
2 don't wear tennis shoes?

3 A. No.

4 Q. Okay. Any other requirements about when you had to
5 be at work?

6 A. No requirements.

7 Q. You chose when you wanted to show up for work?

8 A. The only thing is, the later that you are, the more
9 tip out is.

10 Q. So the later you are -- it was really how long you
11 worked, right, is how much you would pay?

12 A. No. It's a set fee, and then the later that I got
13 there is \$20 every ten minutes that I was late.

14 Q. So it's not \$20 -- well, you didn't -- so for
15 example, if you were there at 11 o'clock, how much
16 would it cost you?

17 A. It depends on what time that shift starts. What
18 time is night shift, 8 o'clock?

19 Q. It would cost you \$20 every --

20 A. That's how much they charged me. They would charge
21 me \$20 every ten minutes I was late.

22 Q. So if you were an hour late, they would charge you
23 \$1800?

24 A. No. They stop it at a certain -- like after \$85 or
25 something like that. That's the max, but --

1 Q. Did they have a schedule that you ever saw of rent
2 charges?

3 A. Write charges?

4 Q. Rent, entertainment charges?

5 A. That paperwork I signed. Whatever I signed, it had
6 on there how much everything cost.

7 Q. Let me show you what's marked as Exhibit 2. Why
8 don't you take a look at that and tell me if that
9 fits within your recollection of what the various
10 charges were.

11 A. No, this isn't right.

12 Q. What's not right about that?

13 A. Like this is saying at 11 o'clock it's \$30. It was
14 \$25 to come in there.

15 Q. Okay.

16 A. It was always \$25 at the beginning of the shift, and
17 then like every ten minutes it would go up \$20.
18 I've never made it past \$80.

19 Q. Every ten minutes it would go up \$20?

20 A. Yeah.

21 Q. So the schedule there you are saying is inaccurate?

22 A. Yeah, this -- this is not right.

23 Q. So it wasn't that if you showed up at 11:00 or
24 before 12:00 it was 30, and then if you showed up
25 after that it was more? So for example, if your

1 shift ended instead of at seven, but it ended after
2 eight, you would pay 40?

3 A. No. You pay based off of what time you get there.

4 Q. Okay. It wasn't what time you get there and what
5 time you leave?

6 A. No. If you stay longer, then you pay another shift.

7 Q. Okay.

8 A. But it was -- but your fee is going to be based on
9 what time I get there. It's 11 o'clock. I'm
10 supposed to be there at 11 o'clock. I get there at
11 11:20. They then charge me 40 more dollars on top
12 of 25.

13 Q. What did they charge you?

14 A. Whatever 40 bucks --

15 Q. They charged you \$65?

16 A. \$65 to work, yeah.

17 Q. And if you wanted to pay less than that, you would
18 show up before 11:00?

19 A. Yeah, I show up on time.

20 Q. Okay. And you knew that if you showed up later, it
21 would cost you more?

22 A. Yeah.

23 Q. Okay. And you made those decisions?

24 A. Yes.

25 Q. And nobody -- all you knew is that you would pay --

1 Q. Okay.

2 A. Well, no, no.

3 Q. Or not at all?

4 A. No, no. I mean, the only way you could leave, if
5 you wanted to work a couple of hours and do that, is
6 if you got permission, then that was \$20.

7 Q. Did somebody physically hold you back from leaving?

8 A. Yes.

9 Q. Who held you back from leaving?

10 A. If I wanted to leave -- well, no. Okay. If I
11 wanted to leave early, then I had to get permission.
12 If I wasn't -- if I wasn't granted this permission,
13 then I couldn't leave. And I mean, if I wanted to
14 keep my job, then I didn't leave.

15 Q. Okay. Who told you -- who ever told you that you
16 weren't allowed to leave?

17 A. Every manager except Jim. Jimmy and Jim have never
18 once told me that I couldn't leave, but I never
19 asked them either.

20 Q. Anybody that you asked who told you that you
21 couldn't leave?

22 A. Yeah, Cain told me I couldn't leave. Stevie B. told
23 me I couldn't leave one time.

24 Q. Anybody else?

25 A. Steve Shine wouldn't let me leave one time.

1 MR. RUBIN: It may be.

2 MR. LUCAS: Yeah, this was -- oh, maybe it
3 wasn't.

4 MS. NORDSTROM: I don't think it was.

5 BY MR. RUBIN:

6 Q. Okay. I'm showing you what I've had marked as
7 Exhibit 11. Have you seen that document before?

8 A. I don't recall. I signed the entertainer contract
9 and arbitration policy document, yeah, but I don't
10 remember what I stated or what it resembled.

11 Q. Have you ever read it since?

12 A. I've read it recently.

13 Q. Did you ever read it at any time after you signed
14 it?

15 A. No, I never had a copy of it.

16 Q. Did you ever ask for one?

17 A. I did.

18 Q. Did somebody tell you you couldn't have one?

19 A. Yep.

20 Q. Who?

21 A. Abby.

22 Q. Who is Abby?

23 A. The house mom.

24 Q. She told you you couldn't have it?

25 A. Well, they didn't have it to give to me.

1 Q. Okay. Did you ever send in something that I revoke
2 my agreement?

3 A. I don't know what I signed. That's what I'm trying
4 to say. I don't know what I signed.

5 Q. But you know -- you do recall it had prices on it?

6 A. Yes.

7 Q. So this is -- I'm going to show you just a document
8 that's been attached to your demand in this case for
9 arbitration and ask you if this is the entertainer
10 agreement that you signed?

11 A. Where is my contract?

12 Q. I'm asking you -- this is the one that is attached
13 to --

14 A. I don't know. I don't know what -- no, I don't
15 remember signing anything that had all this
16 information on it.

17 Q. This is for arbitration.

18 A. Okay.

19 Q. This is a document your lawyer attached to the
20 arbitration demand. Okay?

21 MR. LUCAS: This is not signed by you.

22 A. I don't remember signing anything that looked like
23 this.

24 Q. Is this the document that you signed?

25 A. I've never seen that.

1 Q. You've never seen what is referred to as -- or
2 what's called WBY, Inc. --

3 A. I'm not going to agree to that because I don't know.

4 Q. Let me finish my question, please.

5 A. I don't know is my answer to your question. I know
6 what you are going to ask me.

7 Q. I don't care if you know what I'm going to ask you.
8 Please let me ask my questions.

9 A. Okay.

10 Q. And then you can answer them.

11 A. Okay.

12 Q. Did you sign a document called "WBY, Inc.'s d/b/a
13 The Follies Entertainment Contract"?

14 A. I don't know. I don't know what it was called or
15 what was on the document.

16 Q. Okay. So this is a document that was attached to
17 your claim in arbitration. Can you tell me whether
18 or not a similar document is one to which you
19 signed?

20 A. No. I signed something where it said name, Social
21 Security number, and that was all on the back piece
22 of the paper.

23 Q. Did you sign an arbitration policy that's
24 attached --

25 A. Yes.

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1 Q. It's what you claim occurred in this case.

2 A. Okay.

3 Q. Okay. To that you attached a document that says

4 "WBY, Inc. The Follies."

5 A. Okay.

6 Q. Your copy is unsigned. This is what you attached.

7 MR. LUCAS: That's what your lawyers

8 attached.

9 Q. My question to you is, do you recall ever seeing
10 this document before?

11 MR. LUCAS: Objection. Asked and

12 answered. Go ahead.

13 A. I don't recall.

14 Q. Okay. You are not saying that you didn't sign it;
15 you are saying you don't recall whether you signed
16 it?

17 A. Because I -- the only place that I remember signing
18 is this right here, and that's -- that is my
19 testimony.

20 Q. Okay. Let me go through these documents, please.
21 Okay? So I can understand for the record what it
22 is.

23 MR. LUCAS: I don't know what you don't
24 understand.

25 A. It's like you keep asking the same question. It's

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1 given to me.

2 Q. Who told you?

3 A. Cain. Cain was the one who came out with them, and
4 Abby was the one who enforced us to sign them. And
5 before we checked in and signed in that day, we had
6 to sign these contracts.

7 Q. Okay. So Cain would have been the manager on duty
8 the day that you signed whatever the
9 agreement -- well, you just pointed to this
10 entertainment contract. Did you sign the
11 entertainment contract on the same day?

12 A. I don't know what --

13 MR. LUCAS: Objection. Asked and
14 answered.

15 MR. RUBIN: Hold on.

16 Q. Did you sign the entertainment contract on the same
17 day you signed the arbitration agreement?

18 A. It was all put together, yes. It was all in the
19 same paperwork. Whatever it was that I signed was
20 all together. The entertainment contract, the wages
21 and hours for tip out, the rules and the arbitration
22 agreement, it was all stapled together and on the
23 back of it, this page, was right here and I signed
24 this, and I handed it to the house mom. And I asked
25 for a copy of it, and I was not granted that wish.

1 Q. What shift does Cain work?

2 A. Night shift.

3 Q. What shift does Abby work?

4 A. Day shift. Abby was I think leaving at that time or
5 she had stayed over. I don't remember what
6 happened, but I remember Cain giving me the
7 paperwork and I turned it in to Abby. I remember
8 that much.

9 Q. Okay. Cain gave you the paperwork and Abby
10 collected it?

11 A. Yes.

12 Q. Okay.

13 MR. LUCAS: Can we take a break when you
14 have a chance?

15 MR. RUBIN: Absolutely, whenever you want
16 to take a break. Right now is fine.

17 (Recess.)

18 (Exhibit 12 marked for identification.)

19 Q. I'll show you what I've had marked as Exhibit 12.
20 This is another -- it's a photograph of some
21 documents that were posted at the club. And my only
22 question to you is, did you ever see this document
23 at the club?

24 A. I don't recall.

25 Q. It's possible you did, possible you didn't?

1 A. No documentation was posted. There was signs just
2 like this that were posted there, but there was no
3 documents posted.

4 Q. "This" and "that" doesn't translate very well, so if
5 you could just do me a favor --

6 A. And be specific? Well, any type of entertainment
7 contract, arbitration form, anything of that nature
8 was not posted anywhere at Follies when I was there.

9 Q. Okay. It's possible it was posted afterwards?

10 A. It's possible it was posted, but not when I was
11 there.

12 Q. And you said things like what you saw is Exhibit 6,
13 I believe it is?

14 A. Exhibit 6, Exhibit 4, these are the type of things
15 that were posted. These are the type of paperwork
16 that were posted when I worked there, yes.

17 Q. Now, I'm going to show you what I'm going to have
18 marked as Exhibit 13.

19 (Exhibit 13 marked for identification.)

20 Q. This is what I've marked as Exhibit 13. It is a
21 packet of documents.

22 MR. LUCAS: Just for the record, Allan, I
23 did pull this out. I think what you marked as
24 Exhibit 11 today is Exhibit 8 from yesterday.

25 MR. RUBIN: No worries.

1 A. Well, I initialed. I didn't fill anything out.

2 Q. Well, you said that you initialed it indicating it
3 was accurate?

4 A. Correct.

5 Q. Okay. Do you ever recall initialing a form that you
6 did not believe to be accurate?

7 A. Yeah. Probably the whole thing I signed, whatever
8 it was that I signed.

9 Q. I'm talking about Exhibit 13.

10 A. Okay. No. I think that this is right. I believe
11 it's right.

12 Q. The tip out column there, that's the amount that you
13 tipped out to the DJ?

14 A. Yes.

15 Q. Do you see where like on the page it's got a time
16 note 4:51; do you recall what that was referring to?

17 A. Possibly when I clocked in.

18 Q. Well, you didn't clock in because there weren't any
19 clocks to clock into, right?

20 A. Okay. I didn't literally clock in, but the time
21 that I signed in, because I did literally sign in.

22 Q. Okay. So this would have been -- so where it says
23 4:51, you think that that would have been the time
24 you signed it in?

25 A. That would be the only reason I could see a time in

1 there.

2 Q. On this first page is there anything that's yours
3 other than the initial?

4 A. I don't even remember initialing that.

5 Q. Does it look like your handwriting, though?

6 A. I usually did like a squiggly, but it's possible
7 that I gave him some money and he put that in there
8 real quick and -- just to say that I gave him the
9 money, and that was it. It is possible that I
10 didn't initial it.

11 Q. Do you see where -- if you go to a form, and it's 19
12 on the bottom in the lower right-hand corner -- do
13 see these little numbers right here? On the bottom
14 here, one of them is going to have a 19 after it.

15 A. I see it.

16 Q. Okay. Does that look like the little squiggly that
17 you would do?

18 A. Yes.

19 Q. Okay. If you turn to 21, there is another squiggly
20 there. Does that look like the type of squiggly
21 that you would do?

22 A. That looks more like my squiggly.

23 Q. Okay. Now, when you worked more than one shift in a
24 day, would you squiggle and initial more than one of
25 these?

1 A. No.

2 Q. Okay.

3 A. I would just pay the DJ and then go back on the
4 floor.

5 Q. So when you -- so you only completed one of these,
6 right and you initialed it -- did you initial it
7 when you came in or when you left?

8 A. When we left.

9 Q. Okay. And it would have been accurate for whatever
10 the amount was for that day?

11 A. Approximately.

12 Q. Now, was there any place that you kept records of
13 where and when you performed?

14 A. No.

15 Q. Did you maintain a calendar like a door or wall
16 calendar of any type?

17 A. No.

18 Q. No computer calendar?

19 A. No.

20 Q. No calendar on your iPhone or iPad?

21 A. No.

22 Q. And you didn't track any income you received on a
23 day-to-day basis?

24 A. No.

25 Q. You didn't record any tip outs that you paid to

1 people on a day-to-day basis?

2 A. No.

3 Q. Okay. I don't want to know about any conversations
4 you had with any lawyers, but did you ever seek tax
5 advice as to what you are supposed to do to maintain
6 your business records?

7 A. No.

8 Q. Okay. Did you ever go to like H&R Block or anybody
9 else like that and say, I want to file taxes, Tell
10 me what I need to keep?

11 A. No.

12 Q. Did you ever go to anybody and ask that question?

13 A. No.

14 Q. Did you ever ask your parents?

15 A. No.

16 Q. When you went to college, what were you studying at
17 Stillman?

18 A. Forensic science.

19 Q. What about at -- I'm sorry. I know Stillman. At
20 Savannah, same thing?

21 A. Yes.

22 Q. Did you ever take any business or accounting
23 classes?

24 A. I don't think I did, no.

25 Q. Did you ever take any in high school?

1 A. No.

2 Q. Other than the lawyers involved with suing the
3 various clubs that you performed at, because I don't
4 want to know about any of those conversations.

5 Okay?

6 A. Okay.

7 Q. At all. Okay. I just want to know if you ever
8 consulted with a lawyer relative to your tax filing
9 advice or tax filing requirements?

10 A. No.

11 Q. Did you ever seek any advice as to what types of
12 records you were supposed to maintain if you were an
13 independent contractor?

14 A. No.

15 Q. Or your own self-employed person?

16 A. No.

17 Q. Okay. Now, when did you first become -- strike
18 that.

19 Were you involved in any other litigation?

20 A. No, not other than what I told you.

21 Q. So you weren't involved in any Onyx litigation?

22 A. No.

23 Q. Or any other litigation involving adult
24 entertainment in Atlanta?

25 A. No.

1 Q. Who would have records of -- strike that.

2 Were there any records of the date and times
3 that you performed at Shooter's that you saw in
4 connection with your litigation?

5 A. If they kept records.

6 Q. Did you see -- were there any records that you saw?

7 A. As far as --

8 Q. Dates and times that you performed at Shooter's?

9 A. Yes.

10 Q. What records did you see?

11 A. They had a time book for when you signed in.

12 Q. So if I wanted to know when you worked at Shooter's,
13 I could look at that time book and would know?

14 A. Yes.

15 Q. The sign-in sheets that are Exhibit 13 that we
16 looked at, the DJ sheets, were there any --

17 A. I mean it's just like this pretty much.

18 Q. Okay.

19 A. It's the same. So if this is what you are talking
20 about --

21 Q. No.

22 A. -- it's pretty much the same thing.

23 Q. So take a look at Exhibit 13. Were there any other
24 types of documents that you signed in or out on?

25 A. No.

1 Q. Okay. But did you recall signing in or out on that
2 kind of document every day that you worked?

3 A. Not every day. I didn't sign this every day.

4 Q. How many times a week would you sign it?

5 A. Maybe five.

6 Q. So five days a week you wouldn't sign it?

7 A. No. I would. Maybe four or five. I don't really
8 recall. It was just sometimes like -- if I wasn't
9 rushing -- because usually I would be rushing to get
10 out the door. So I would be trying to pay everybody
11 real quick and get up out of there, so I mean --

12 Q. Was one of the requirements they had that you
13 initial that?

14 A. No. It was just like, Come here and initial this.

15 Q. So it wasn't a requirement; it was just, Come here
16 and initial this?

17 A. Uh-huh.

18 Q. You look at it for accuracy and initial it?

19 A. I didn't look at it. I just initialed it.

20 Q. So you don't know if it was accurate or not?

21 A. It should have been.

22 Q. Okay. Now, when you worked at Shooter's, was it
23 similar to that?

24 A. It was just like, when you sign in at the door, you
25 show the permit. And then they put on there your

1 name and the time that you come in, and you leave --
2 and you go on the floor.

3 Q. What would be the circumstances that you wouldn't
4 initial that document?

5 A. If I'm just running too fast or a day shift. I
6 didn't sign this day shift. Like this is a night
7 shift type of thing. When you are leaving -- when
8 you are trying to leave and get out of there -- this
9 is day shift. We didn't really do this.

10 Q. You are sure you didn't do that on day shift?

11 A. I'm not sure that I didn't do it. I mean, I'm sure
12 that Julian a couple of times had me probably
13 initial this once or twice, but this is not really a
14 day shift type of thing. This is more of at the end
15 of the night.

16 Q. Do you know if there are day shift and night shift
17 sheets in there that you've initialed?

18 A. Yeah, some of this is -- according to these times,
19 some of them -- you know, I can't -- I can't really
20 tell you because I don't really -- I'm not a hundred
21 percent on this. I know when I could, I signed it.
22 If they were like, Hey, Climax, come here and sign
23 this, I signed it. That's pretty much one of those
24 things.

25 Q. Okay. So the circumstances that you didn't sign it,

1 were you were running around too busy to sign it?

2 A. Yes, or I wasn't asked to sign it.

3 Q. Well, every time you went to see the DJ as you were
4 leaving, was that one of the things that you would
5 typically do?

6 A. Yes, at nighttime.

7 Q. Okay. And during the daytime you don't recall being
8 asked do that?

9 A. I think, yeah, I was a couple of times, but it
10 wasn't like -- at nighttime I think it was like
11 required-required.

12 Q. Now --

13 A. At mid shift you don't sign anything like this.

14 Q. Well, mid shift -- what's mid shift? What is day
15 shift?

16 A. Day shift is 11:00 to 8:00. Mid shift is 4:00 to
17 12:00. Night shift 8:00 to 4:00.

18 Q. So when you would walk out at, whatever, eight to --
19 four to midnight, if you worked mid shift, you
20 wouldn't sign that?

21 A. No. I would -- like if I -- I didn't usually walk
22 out on mid shift. I usually stayed all night. So
23 it's just like you tip the DJ and pay your -- pay
24 your fee and then keep it moving.

25 Q. So when you left mid-shift, would there ever be an

1 occasion where you would sign that before midnights?

2 A. Yeah, I think there were times when I signed this if
3 I left mid shift.

4 Q. It was your understanding the practice was that you
5 would sign this for at least some period of time
6 when you left after every shift?

7 A. Yeah.

8 Q. Okay. I know it's been a while since you worked
9 there and so some of it may come back slowly.

10 A. I know -- like I said, I know that last shift you
11 had to sign it, but there were times in day shift
12 where I never looked at this.

13 Q. Okay. Who decided if you were going to stay over
14 from mid shift to day shift or day shift to mid
15 shift?

16 A. I did. That's a choice.

17 Q. Okay. A choice you made?

18 A. Yes.

19 Q. Let's talk about how you would make your money as an
20 entertainer.

21 A. Okay.

22 Q. What were the various ways for which you as an
23 entertainer could make money?

24 A. Dance and do table dances. You could take a
25 customer to private rooms.

1 Q. So you could dance?

2 A. On the floor, you could dance on the stage, and you
3 could go to private rooms.

4 Q. Okay. So there's three types: Dancing on the
5 floor?

6 A. Yes.

7 Q. Dancing on the stage?

8 A. Yes.

9 Q. Actually, I think there's four. VIP?

10 A. Well, that's what I meant by private room.

11 Q. Okay. Now, when you would dance on the floor, was
12 there a charge?

13 A. \$10.

14 Q. Who set that charge?

15 A. The management.

16 Q. Did you have any discretion as to setting that fee?

17 A. Yeah, because one time I tried to charge \$20 for a
18 dance and I almost got fired for it.

19 Q. So the answer is you had no discretion for setting
20 that fee?

21 A. I didn't understand that.

22 Q. So if you don't understand, remember I told you
23 you've got to tell me you don't understand --

24 A. Yeah, I didn't --

25 Q. -- because otherwise, I'm going to assume then --

1 A. I don't understand the way you are asking me.

2 Q. Did you set the price for on-the-floor --

3 A. No.

4 Q. -- dances?

5 A. I didn't set the price.

6 Q. So they were \$10 on the floor?

7 A. Yes.

8 Q. Could a customer choose to tip you more?

9 A. Yes.

10 Q. Okay. You could dance on the stage?

11 A. Yes.

12 Q. Could -- was there a price that the customers paid
13 to have you dance on the stage?

14 A. No.

15 Q. Customers could tip you?

16 A. Yes.

17 Q. Okay. So they would -- if you danced on the floor,
18 customers would pay \$10 set by the club for you to
19 dance and may tip you more?

20 A. Yes.

21 Q. Okay. Typically, how much in tips -- by that I mean
22 the amount above the \$10 fee, would customers
23 typically pay you per dance?

24 A. \$10.

25 Q. So typically you would make \$10 from dancing and

1 A. Yes.

2 Q. And how long will the songs last for?

3 A. Three to four minutes.

4 Q. And the songs would last for three to four minutes?

5 A. (Nonverbal response.)

6 Q. Would you typically dance for a certain minimum
7 number of songs?

8 A. No.

9 Q. Okay. And did customers usually stop at one or did
10 they usually buy more than one?

11 A. They usually buy more than one.

12 Q. How many would they usually buy? I understand there
13 are going to be variations.

14 A. I mean like four to eight to ten.

15 Q. So four to ten?

16 A. (Nonverbal response.)

17 Q. So once you had a customer with one, you had him for
18 typically four to ten?

19 A. Yes.

20 Q. Okay. So in that four to ten minute or that four to
21 ten song, you're typically making, if I understand
22 it, somewhere between 40 and a hundred bucks?

23 A. Yes.

24 Q. How many of those types of dances for different
25 customers would you do on a typical hour?

[REDACTED]

3 Q. So you were typically doing ten dances per hour?

4 A. Typically a little more.

5 Q. So you are typically doing ten dances, sometimes
6 more, sometimes a little less?

7 A. Sometimes you are not doing nothing.

8 Q. But you were averaging about ten you said, right; is
9 that fair?

10 A. That's probably fair.

11 Q. Okay. Now, on top of that, customers may tip you,
12 if it was -- if you danced for me four songs, I may
13 give you 40, I might give you 60?

14 A. Yes.

15 Q. Couldn't give you less than 40, but I could give you
16 whatever I wanted on the top end?

17 A. Right.

18 Q. Now, on the stage, if you were dancing, did you do
19 pole tricks?

20 A. Yes.

21 Q. Is that one of the things you were known for?

22 A. No.

23 Q. Are there some really good pole trick girls out
24 there?

25 A. Yes.

1 Q. And you would dance on stage?

2 A. Yes, I would.

3 Q. And how many times a shift, as you've described it,
4 day, mid, afternoon, would you get up on stage?

5 A. Probably like two or three.

6 Q. Okay. And that would be for a three-song set?

7 A. Three-song set.

8 Q. So somewhere between 9 and 12 minutes?

9 A. Yes.

10 Q. So of the 16 hours that you said you worked in an
11 average day, you would be on the stage somewhere
12 less than an hour?

13 A. More or less than an hour.

14 Q. And would you typically get tips from customers
15 while you were dancing on stage?

16 A. Sometimes.

17 Q. Did they have -- was there an average amount you
18 would make every time you were up there?

19 A. No. It varies.

20 Q. What was the most you recall making?

21 A. I made [REDACTED] on stage.

22 Q. What's the least you recall making?

23 A. [REDACTED]

24 Q. How often did that happen?

25 A. About -- at least once every time I got up there I

1 wouldn't make anything.

2 Q. Not even \$1?

3 A. No.

4 Q. Okay. And then you would do VIP?

5 A. Yeah, I did VIP.

6 Q. What's the -- so you would go in private rooms and
7 have more private dances with customers?

8 A. Yes.

9 Q. Dances similar to what was happening on the floor
10 but in a private room?

11 A. Yes.

12 Q. And would those dances cost more?

13 A. It was \$152.

14 Q. Okay. How much would you get per half-hour?

15 A. A hundred dollars.

16 Q. A minimum of a hundred?

17 A. Yeah, it's like -- it's a minimum of 52 really, and
18 that's for the VIP room, but you can technically
19 charge what you want to charge.

20 Q. Okay. So the customer would pay \$52 to the club,
21 right?

22 A. Yes.

23 Q. So if I'm the customer, again, I'm taking you back
24 to the VIP room?

25 A. Yes.

1 Q. I'm paying \$52 to the club?

2 A. Yes.

3 Q. And that's for the privilege -- for the right to
4 rent that space?

5 A. Yes.

6 Q. And then I can bring you with me?

7 A. Yes.

8 Q. I can go there alone if I wanted to, right?

9 A. Yes.

10 Q. But I can bring you with me, and I can charge -- and
11 you charge me whatever you want to charge me?

12 A. Yes.

13 Q. Did you have a typical price that you would charge?

14 [REDACTED]

[REDACTED]

16 A. (Nonverbal response.)

17 Q. For a half-hour?

18 A. Yes.

19 Q. So you would -- so you would typically make
20 somewhere between [REDACTED] on the floor for -- or a [REDACTED]
21 [REDACTED] on the floor in an hour, and in the VIP room
22 you would make almost twice that?

23 A. Yes.

24 Q. So you tried to sell as many VIPs as you could?

25 A. Yes.

1 Q. As the customer, okay, of -- your customer, when I'm
2 on the floor, am I paying anything to -- from any of
3 those dances to the club?

4 A. As far as like our dances?

5 Q. Yeah, am I paying any money to the club directly?

6 A. No.

7 Q. So when you are on the floor, I'm giving you the
8 money?

9 A. Yes.

10 Q. Okay. Now, you talked about having to pay all these
11 fees. So, for example, you had to pay a fee when
12 you walked in the door?

13 A. Correct.

14 Q. That was what you called the house fee?

15 A. Yes.

16 Q. Now, that was the 40 or 60 or 80, whatever dollar it
17 was, for whether you were late or not late that you
18 were talking about?

19 A. Yes.

20 Q. As the club -- did the club ever tell you where you
21 had to get that money?

22 A. No.

23 Q. Did they tell you that it could only come from your
24 tips?

25 A. No.

1 firms involved in this case during the day, you
2 could save your money from being a lawyer and make
3 all those payments, correct?

4 A. Yes.

5 Q. Okay. Did you ever do anything to track where your
6 money came from that you were using to pay those tip
7 outs?

8 A. No.

9 Q. Okay. Did you ever -- did you ever keep a tip
10 journal?

11 A. Uh-uh.

12 Q. Do you know what --

13 A. No, I did not.

14 Q. -- a tip journal is?

15 A. Yes, I know what it is.

16 Q. A tip journal is somewhere where you are recording
17 the tips that you make and the payments that you are
18 making?

19 A. Right.

20 Q. Did you ever record in one of those?

21 A. No.

22 Q. When did you first learn of what's a tip journal?

23 A. After I got into this altercation with Shooter's,
24 after I signed on with the whole other case.

25 Q. What was that? When did you sign on?

att <http://www.yeslaw.net/hel>

1 A. I think they got an Instagram.

2 Q. Do you know whether they have an Instagram or
3 whether or not there is just a hashtag name that's
4 got their name on it?

5 A. No. It's an Instagram.

6 Q. What's their Instagram name?

7 A. I don't know what it is, but I've seen it. They
8 used to have a website, but I don't know if they
9 still have it or not.

10 Q. Do you know whether or not they created any of that
11 stuff?

12 A. No. No telling.

13 Q. So you don't know whether or not that was something
14 they did or something that a bunch of entertainers
15 did?

16 A. Yeah. I don't know.

17 Q. Okay. But nonetheless, you had an Instagram site,
18 right?

19 A. Yes, I had an Instagram.

20 Q. And you would put up on your Instagram a picture of
21 you in revealing clothing? I think you said a
22 bikini?

23 A. Right, and tell people to come out tonight or --

24 Q. Is that what you used the [REDACTED] account for?

25 A. No, that's not what I used it for, but on occasions

1 I would put that on there.

2 Q. Okay. Any other social media site that you would
3 put it on other than your [REDACTED] site?

4 A. No.

5 Q. Okay. I take it that's not a site that you shared
6 with your family?

7 A. No.

8 Q. Did you ever advertise your services that you were
9 going to be somewhere other than Follies like at
10 Shooter's or the Goldrush or --

11 A. No.

12 Q. Okay. So you would put a picture of yourself in
13 your bikini out there and say, Come see me?

14 A. Yeah, Come to Follies.

15 Q. I'll be there Monday through Friday from open to
16 close?

17 A. I'll be here now. It was just a now thing, you
18 know, or --

19 Q. Did you have a group of regular customers?

20 A. I have regulars.

21 Q. How would you communicate with your regulars?

22 A. Via text message, phone calls.

23 Q. When you were going to the club, would you call your
24 regulars?

25 A. Yes.

1 Q. Tell them, I'm going to be at the club today?

2 A. Yes.

3 Q. And when you were going to be at the club, would you
4 text your regulars?

5 A. Yes.

6 Q. I'm going to be at the club today, come and see me?

7 A. Yes.

8 Q. That kind of stuff?

9 A. Yes.

10 Q. And was the purpose of that to generate your
11 customers coming to see you?

12 A. Yeah, to bring them in and make something happen.

13 Q. So you are trying to generate business for yourself,
14 right?

15 A. Yeah. And, I mean, it was a teamwork thing. We
16 bring people into there and people see, you know,
17 Follies and pretty girls in pictures, and they are
18 going to want to come. They are going to spend
19 money. It's pretty much a win-win, we thought.

20 Q. So it's something that you made the investment both
21 in time and whatever it cost you to do this, right,
22 to do?

23 A. Yeah, when I did it.

24 Q. Okay. Any other ways other than texting your
25 customers, your regulars -- how many regulars did

1 Q. Did you ever go to events where you would wear
2 something or hand out business cards or anything
3 like that?

4 A. No.

5 Q. Did you ever take dance lessons?

6 A. No.

7 Q. Ever in your entire life?

8 A. No.

9 Q. You've never had any dance training as a child or
10 like ballet or --

11 A. No.

12 Q. Okay. Gymnastics?

13 A. I did gymnastics once.

14 Q. Okay. How about in the last probably five years --

15 A. Oh, no.

16 Q. -- any training in any --

17 A. No.

18 Q. Let me finish my question.

19 A. Okay.

20 Q. Any training in gymnastics, dance or any of those
21 related fields?

22 A. No.

23 Q. How did you learn how to pole dance?

24 A. Watching the other entertainers.

25 Q. And you just practiced?

1 A. Yes.

2 Q. How often would you practice pole dancing?

3 A. Maybe once every two weeks.

4 Q. Well, I'm assuming earlier on you probably practiced
5 a lot more to learn it?

6 A. Well, I mean, I wasn't like, you know, the top dog
7 of pole dancing either, so --

8 Q. But I'm assuming that when you were trying to learn
9 it -- because it's fairly hard, right?

10 A. Fairly, yes.

11 Q. You had to practice a lot more at keeping up your
12 skills as opposed to learning them?

13 A. I didn't really keep up with it.

14 Q. Because you do it?

15 A. I don't really now.

16 Q. But at the time you did?

17 A. Yeah. Well, I was attempting to.

18 Q. Now, did the club tell you whether or not you should
19 learn pole dancing or not?

20 A. No, they did not.

21 Q. Did they tell you how you should dance?

22 A. We weren't allowed to like sit on top of the
23 customers. Like if I just take myself and come over
24 there and straddle you just like that, we couldn't
25 do that.

1 Q. Do you know why?

2 A. I'm guessing something to do with just --

3 Q. Could it be because it's against the law?

4 A. Yeah.

5 Q. So other than legal requirements for how you could
6 comply with the law, right, you can't do certain
7 things because it might break the liquor code or it
8 might break the law?

9 A. Right.

10 Q. Any other requirements about how you dance?

11 A. No.

12 Q. Any other requirements about who you dance -- any
13 requirements about who you danced for?

14 A. No.

15 Q. Could you choose all the customers you wanted to
16 dance for?

17 A. Yes.

18 Q. So if I came up to you and you said, Man, I don't
19 like you, could you say no?

20 A. Yes.

21 Q. So, Sorry, sir, not interested?

22 A. Yes.

23 Q. Could you on the other hand, say, If you want to go
24 back to the VIP room, it's going to be \$10,000 an
25 hour?

1 A. Yes.

2 Q. So you could detour customers in any way you wanted?

3 A. Yes.

4 Q. Did you ever see entertainers use any props during
5 your performances?

6 A. No.

7 Q. Like an accessory?

8 A. I never saw it.

9 Q. You never saw any entertainers use accessories?

10 A. No.

11 Q. Anybody tell you you could or you couldn't?

12 A. No.

13 Q. Did you ever pretend to be somebody else when you
14 were dancing with a customer, dressing in a certain
15 type of outfit or carry yourself in a different type
16 of way different than you are?

17 A. I guess my stage person.

18 Q. Did you choose that?

19 A. Yes.

20 Q. And you chose how you wanted to act in that
21 capacity?

22 A. Yes.

23 Q. And what you wanted to call yourself?

24 A. Yes.

25 Q. What kind of person you wanted to pretend you were

1 of what the club wanted?

2 A. Yes.

3 Q. But short of complying with what the law was, you
4 chose what you wore, right?

5 A. I mean no. Because if it was up to me, I would have
6 wore tennis shoes every day.

7 Q. We talked about the tennis shoes, right? We talked
8 about no tennis shoes?

9 A. At Kamal's 21 before, wherever it is, they could
10 wear tennis shoes on certain days.

11 Q. I'm sorry. I didn't hear you.

12 A. There was another club where you could wear tennis
13 shoes on certain days. So I mean everybody is -- it
14 just depends on the club. At Follies I could not
15 wear anything other than my dance attire and dance
16 heels.

17 Q. We talked about that earlier --

18 A. But that's not my choice.

19 Q. We talked about that earlier, right? Other than
20 some basic dance attire, right, and some -- you
21 couldn't wear tennis shoes?

22 A. Exactly.

23 Q. You could wear whatever within that realm you
24 wanted?

25 A. I could pick the sequins and the blues and reds and

1 all that, yes.

2 Q. You could wear 20-inch heels or one-inch heels,
3 right?

4 A. Yes.

5 Q. Now, what club was it that you said you could wear
6 -- that they wore tennis shoes at?

7 A. At Kamal's, before it was whatever it is now. It's
8 not Kamal's anymore, but there was nights in there
9 where they could wear tennis shoes. But, I mean,
10 each club is different.

11 Q. Did you ever wear outfits when you performed like
12 anything special or particular?

13 A. No.

14 Q. Now, you said that you had -- that there were --
15 when you were going to dance on stage there was --
16 the DJ -- I think we talked about this earlier --
17 would play certain types of music?

18 A. Yes.

19 Q. And you could choose to dance -- I'm going to be a
20 country girl, I'm going to be a rock and roll girl,
21 a rap girl, whatever it was?

22 A. Yes.

23 Q. What was your style?

24 A. Hip-hop.

25 Q. Hip-hop. Could you have chosen to be -- could you

1 Q. And did you sell these tickets?

2 A. Yes.

3 Q. How much would you sell these drink tickets for?

4 A. \$20.

5 Q. And did you give that \$20 to the club or did you
6 keep that?

7 A. We would keep it.

8 Q. And who would provide -- did you provide the liquor
9 then or did the club?

10 A. The club.

11 Q. So you would -- they would give you a ticket as part
12 of your lease fee that you would sell for \$20 to
13 customers, and customers could go get liquor?

14 A. Yes.

15 Q. Okay. They would give you this -- they would
16 provide you with this dance ticket or this drink
17 ticket and you would -- if you chose not to sell it
18 to a customer, you could keep it and buy yourself a
19 drink?

20 A. Yes.

21 Q. Could you use it to entice customers to buy dances
22 from them? So for example, give them -- if you buy
23 two dances from me, I'll give you a drink ticket?

24 A. Yes.

25 Q. You could use it any way you wanted as a marketing

1 tool?

2 A. Yes.

3 Q. Other than what we've talked about for the stage
4 dances, the table dances, the drink ticket sales,
5 the VIP rooms, any other ways as an entertainer you
6 could make money?

7 A. I guess if you really come up with something to add,
8 you know, that nobody else thought of. Other than
9 that, that's pretty much the way to make money, what
10 we discussed.

11 Q. And then I guess some of the other ways that you
12 would make money in using this was depending how
13 much you marketed yourself, how much customers you
14 may have called to say, Come on in and see me?

15 A. Yeah, how hard you work every day.

16 Q. Well, not just how hard you work, but how well you
17 market yourself, too, right?

18 A. Right, but I mean you could be in there all day and
19 sit around and drink all day. You could be there
20 all day and kick it. You can be in there all day
21 and --

22 Q. Some of that is all your choice, right?

23 A. Exactly.

24 Q. So you could show up there and decide, I just don't
25 want to work today and go sit in the corner

1 somewhere?

2 A. That's how you make your money, depending on how
3 hard you work.

4 Q. As well as how much -- you know, if you want to make
5 a lot of money, you could call all those customers,
6 send all those Instagram posts; that helps you make
7 money, right?

8 A. Yes.

9 Q. Do you tell the customers how much the dances are
10 going to cost and the VIP rooms are going to cost
11 before you perform them?

12 A. Yes.

13 Q. Did the club ever advertise or say what the prices
14 of the dances are?

15 A. It was just \$10. I mean like --

16 Q. Were there signs up?

17 A. No, there were no signs.

18 Q. Were there announcements?

19 A. I'm not sure how the -- I think it was just when I
20 started working there, they just told me it's \$10 a
21 song. It was just like one of those things.

22 Q. Did the customers seem to know that?

23 A. Yeah.

24 Q. So it wasn't -- everybody seemed to know it; you
25 just don't know how everybody knew it?

1 entertainer no matter where you worked?

2 A. When I started working at Follies --

3 Q. I'm not asking about when you started working at
4 Follies. I'm asking you as an adult entertainer
5 licensed by the County of DeKalb, you went out and
6 paid 3 or \$400 for your own dance license, right?

7 A. Right.

8 Q. And you understood, did you not, that it was a
9 requirement that you have it with you when you
10 performed?

11 A. It was a requirement that I kept it there. I could
12 not take my permit anywhere else.

13 Q. Was that from DeKalb County?

14 A. Yes, this is the DeKalb County permit.

15 Q. Did DeKalb County require you to leave it with the
16 club?

17 A. No. Follies required me to leave it with them.

18 Q. DeKalb County required you to have it on you when
19 you performed there, right?

20 A. Yeah, it's a DeKalb County requirement to have a
21 permit.

22 Q. And you needed to have it on your person every time
23 you were performing; is that true?

24 A. I mean I would assume so.

25 Q. It was also required the club be responsible, was it

25 A. She just told me that if I wanted to work there,

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1 they needed to keep it.

2 Q. And so did you ever say to Abby -- I just want to
3 make sure that we're on the same page. Did you ever
4 ask Abby, Hey, tomorrow I want to go work at -- I
5 don't know a name of a club in DeKalb County -- X
6 Club, Can I have my permit so I can work there
7 tomorrow?

8 A. Uh-uh. After I was allowed to work day shift and
9 mid shift, I didn't need to do that. I just was
10 cool with working at Follies. I only worked there
11 the whole year.

12 Q. So you don't know whether you could have had it back
13 to go work somewhere else or not because it didn't
14 matter to you?

15 A. I knew I couldn't have it back because she told me
16 that actually I had to give it to her and she had to
17 keep it in a book.

18 Q. I understand that. When you --

19 A. So I knew -- I assumed at that point that I could
20 not have my permit back, and I was fine with working
21 there.

22 Q. You assumed?

23 A. She told me that she had to have it.

24 Q. I understand she said that she had to have it.

25 A. Yes.

1 A. I was terminated for no explanation.

2 Q. Who terminated you?

3 A. I don't know.

4 Q. How do you know you were terminated?

5 A. Because they told me that I couldn't work. "They"
6 being Victoria, the house mom, told me that I
7 couldn't work there. I didn't know why, so I came
8 and asked Stevie B. if I could work. He told me
9 that I could come in and work the next day. When I
10 came back the next day, Victoria told me that I was
11 on a no-rehire list.

12 Q. Do you know why?

13 A. Because I sued Shooter's Alley was all I could get
14 to.

15 Q. Who told you that?

16 A. It was just --

17 Q. You were guessing?

18 A. That's the only thing that I could come up with.

19 Q. You were guessing?

20 A. Yes.

21 Q. You don't know why the club decided to end the
22 relationship?

23 A. They never gave me a reason.

24 Q. Okay. Now, when you were working or performing at
25 the club, was there anybody directing you on what

24 Q. Did she actually tell you you had to make your tip
25 out, or did she actually tell you she didn't care,

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1 A. \$50.

2 Q. To who?

3 A. To Cain.

4 Q. To Cain.

5 A. He was the one who made the decision.

6 Q. Okay. Any other fines that you paid?

7 A. A fine to leave early.

8 Q. It wasn't a fine to leave early; you understood --

9 A. \$20.

10 Q. You understood if you wanted to leave before the end
11 of the shift, you could, as long as you paid \$20,
12 right?

13 A. No, I didn't. There was so many times that I was
14 not granted the ability to leave.

15 Q. There were so many times? Earlier when we talked
16 about it you said it was eight times by Cain and two
17 times by somebody else?

18 A. Approximately. That's just guessing. But it was
19 numerous times where I asked to leave early, and I
20 was not granted to leave. But when I was, I had to
21 pay \$20 to do it. There was a fine for staying in
22 the dressing room for too long.

23 Q. There was a fine for staying in the dressing room
24 too long?

25 A. Yeah.

1 Q. What was the fine? What was the fine?

2 A. Like -- I don't know how much the fine was, but Abby
3 threatened it with us all the time. She told us if
4 we stayed in there too long, then we were going to
5 get fined.

6 Q. Did she ever fine you?

7 A. No, I never got fined. I didn't hang out in the
8 dressing room or kick it with people. I went and
9 got -- did my business and left.

10 Q. Okay. So you paid a \$50 fine once that you said,
11 right?

12 A. Yes.

13 Q. And do you know whether or not -- remember I showed
14 you that schedule earlier that had all those
15 different rates and had various times on there for
16 coming and going?

17 A. Yes.

18 Q. And there was various rents depending on what time
19 you came and went?

20 A. Yes.

21 Q. Do you know if that was the \$20 that you paid?

22 A. No. I paid \$20 to leave early on top of my regular
23 fee.

24 Q. I understand that, but do you know whether or not
25 that was because if you chose to end your shift at

1 certain times, the rent may be more or less?

2 MR. LUCAS: Objection. Asked and
3 answered.

4 Q. I'm asking do you know?

5 A. I don't understand your question.

6 Q. Okay. I showed you -- I can show it to you again.

7 Okay. What was Exhibit 2, why don't you take a look
8 at that.

9 MR. LUCAS: She did and she said that's
10 not right.

11 Q. I understand you --

12 A. The \$20 that I'm discussing is a leave early fee.
13 That doesn't include the regular house fee, no.

14 Q. So you are pointing at Exhibit 2 which you say is --
15 doesn't fit with what you recall?

16 A. Yes. I don't think that this is accurate because it
17 was not -- I don't ever remember it being \$30 or \$35
18 to start. It was always 25 to start.

19 Q. Okay. Now, do you know whether or not rent was more
20 or less depending on when you showed up and when you
21 left? Do you know if the rent adjusted?

22 A. It adjust by the time you get there.

23 Q. Do you know if it increased if you wanted to -- if
24 you were going to perform for a smaller period of
25 time, do you know if it cost more in rent to do so?

1 A. You couldn't do that. You had to work your whole
2 entire period. If you wanted to leave early, you
3 had to request permission from the manager. If they
4 granted such permission, it was \$20.

5 Q. Okay. And that's your testimony?

6 A. Yes.

7 Q. Okay. Now, did you ever see anything that had a
8 leave early fee on it?

9 A. No.

10 Q. Okay.

11 A. There was nothing with any fees on it. No paperwork
12 with any fees on it besides what I signed when I
13 signed it.

14 Q. Now, despite all these restrictions and requirements
15 that you've talked about and these fines and these
16 fees and these tip outs --

17 A. Yeah. That's right here on the document. Since you
18 want to bring up so many documents, let's pull up
19 Example 4 that says "Pay of all of your fees before
20 beginning of shift." That's just like --

21 Q. Let's take a look at Exhibit 4. "Pay all of your
22 fees before the beginning of the shift." That's
23 what you had to pay before you got there, right?

24 A. That means that you have to pay before the beginning
25 of your shift. Before you get out there and start

16 A. This is referring to your house fee which is that
17 \$25, unless you are late, and then it's more. But
18 those are their rules and their dressing room. So
19 at the end of the day, even if I am an independent
20 contractor, even if I was one, what independent
21 contractor has to pay to work? What plumber do you
22 hire on Craigslist and then when he gets there, you
23 tell him he has to pay you to work there, and then
24 if he wants to leave, he has to request your
25 permission to leave and then pay a fee to leave?

1 Q. Just hear me, ma'am. You flew --

2 A. There is no way to justify this.

3 MR. LUCAS: You know what? It's not even
4 a question. Let him give a speech.

5 A. Well, give me the speech.

6 Q. Did you fly in today?

7 A. Yes.

8 Q. Did you rent a car?

9 A. No.

10 Q. Did you pay for -- did you rent a cab -- take a cab?

11 A. Yes.

12 Q. Did you pay for those services?

13 A. Yes, yes, yes. I pay for everything that I have
14 acquired. What is it that we're getting to?

15 Q. Okay. So you are at least familiar generally with
16 the concept of paying for the right to use certain
17 people's property?

18 A. I have to pay to work? I'm not -- I don't
19 understand that.

20 MR. LUCAS: Just answer his questions
21 regardless of -- if he asks one, answer it.

22 THE WITNESS: Okay.

23 MR. RUBIN: Move to strike as
24 nonresponsive.

25 MR. LUCAS: It's nonresponsive to a


```
25      -- whether or not they can -- they can even let you
```

1 get tips if they don't want to? Do you know if a
2 business could pay 7.25 and prohibit you from
3 getting tips?

4 A. All I know is what I'm telling you here. I'm
5 telling you that they charge me these fees. I want
6 them back, and that's how it's going. That's all I
7 tell you.

8 Q. And did you ever --

9 A. Every single day when it was required for me to go
10 in Follies and pay this fee, he wanted his money,
11 and I paid all of it. I paid him exactly what he
12 wanted, and I gave him -- I paid that fee every
13 single day. Now, I want mine.

14 Q. So let me ask you this: Did you ever have an
15 agreement of any -- of any type or sort with the
16 club other than what the club charged you?

17 A. No.

18 Q. Okay. I have one other question. You wanted to
19 correct some answers to interrogatories?

20 MR. LUCAS: Yeah.

21 MR. RUBIN: Let me ask the question.

22 Q. What particular interrogatory answers did you want
23 to change, correct or amend?

24 MR. LUCAS: I will help her on that.

25 A. I know exactly what it is.

1 MR. LUCAS: Was it the interrogatories?

2 Let's go off the record for a second.

3 (Discussion off the record.)

4 MR. RUBIN: What were the interrogatory
5 answers that you wanted to correct?

6 MR. LUCAS: Back on the record? It's
7 Interrogatory No. 10 that talks about work hours.

8 MR. RUBIN: Let me pull it up here. What
9 number are we up to?

10 MR. LUCAS: 14.

11 MR. RUBIN: I'll mark this as Exhibit 14
12 just so that we can have it marked for the record.

13 MR. LUCAS: That's fine, uh-huh.

14 (Exhibit 14 marked for identification.)

15 BY MR. RUBIN:

16 Q. Exhibit 14 are your interrogatory responses?

17 MR. LUCAS: If you turn to No. 10, in No.
18 10 we describe a day shift and a mid shift, but we
19 failed to add the evening shift.

20 THE WITNESS: Yes, we did.

21 MR. YOUNGELSON: 8:00 p.m. to 4:00 a.m.

22 MS. NORDSTROM: It's on there.

23 MR. RUBIN: Claimant works six days a week
24 for the first six months on the night shift working
25 8:00 p.m. to 4:00 a.m.

1 MR. LUCAS: Yeah, but it says that the
2 remainder of the time -- it makes it sound like the
3 remainder of the time she only worked --

4 MR. RUBIN: So would --

5 MR. LUCAS: Days and mid, but she also
6 worked evenings. See what I'm saying?

7 THE WITNESS: This is saying for the first
8 six months I worked eight to four which is right,
9 but then they need to add that I worked -- that the
10 last year or whatever -- the little under a year
11 that I worked there --

12 MR. LUCAS: You worked days, mid and
13 evenings.

14 THE WITNESS: Exactly.

15 BY MR. RUBIN:

16 Q. So you want this to read that you worked essentially
17 from -- just maybe we can just -- make this clear --
18 from 12:00 p.m. to 4:00 a.m.?

19 A. Yes.

20 Q. Six days a week?

21 A. Yes.

22 Q. Okay.

23 MR. LUCAS: And then the other one was --

24 MR. RUBIN: Why don't you just -- we've
25 noted it on the record. At some point just amend

1 the answer.

2 MR. LUCAS: We'll amend. In No. 15 it's
3 very simple. 15 is simply the bar fee for day shift
4 and mid shift. It says \$10 for day shift and 3 for
5 mid. It's \$5 for both. And we'll amend and make
6 that change as well.

7 MR. RUBIN: Okay. Any other changes?

8 MR. LUCAS: No. That's it.

9 MR. RUBIN: All right. I've got no
10 further questions at this point.

11 MR. LUCAS: Okay.

12 MR. RUBIN: Although I will indicate that
13 to the extent that there have been some documents
14 that we requested that you've told us that you will
15 produce at some point that have not been produced,
16 to the extent there are any, we would reserve on
17 those bases as in those points. But other than
18 that, I have no further questions.

19 (Time noted: 12:03 p.m.)

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TIARA PAYNE v. WBY, INC.

Tiara Payne on 06/23/2015

Page 1 5

1 ATTACH TO THE DEPOSITION OF TIARA PAYNE
In Re: PAYNE v. WBY, INC., d/b/a THE FOLLIES

2

3

ERRATA SHEET

4

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Tiara Payne Date

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5 C E R T I F I C A T E

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7

8 GEORGIA:

9

10 I hereby certify that the foregoing deposition
11 was reported, as stated in the caption, and the
12 questions and answers thereto were reduced to the
13 written page under my direction; that the foregoing
14 pages 1 through 177 represent a true and correct
15 transcript of the evidence given. I further certify
16 that I am not in any way financially interested in
17 the result of said case.

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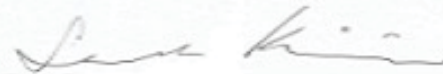
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